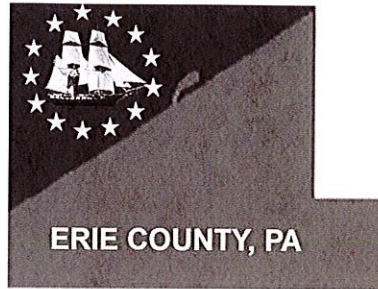


FINANCE AGENDA

Erie County Council

www.eriecountygov.org



Dr. Kyle Foust, Chairman
Carol Loll, Vice Chairwoman
Jay Breneman
Edward T. DiMattio, Jr.
Kathy Fatica
André Horton
Fiore Leone

May 12, 2016

4:00 p.m.
Room 114A

1. Ordinance Number 26, 2016, "Twelfth 2016 General Fund Budget Supplemental Appropriation Of \$4,289,910 And Creation Of Line Item For Intergovernmental Transfer (IGT) To Benefit Pleasant Ridge Manor" (FR 4-12-16) (Tabled 4-25-16)
Page 3
2. Resolution Number 10, 2016, "In Support Of The Intergovernmental Transfer Agreement Between The PA Department Of Human Services, The Office Of Long Term Living And The County Of Erie" (Tabled 4-12-16)
Page 9
3. Ordinance Number , 2016, "2016 General Fund Budget Supplemental Appropriation Of \$35,533 For PCCD Trauma Related Services Grant"
Page 20
4. Ordinance Number , 2016, "2016 Library Fund Budget Revised Revenue & Expenditures Of \$3,366 And Creation Of Line Item For Additional State Grant Reimbursements"
Page 30
5. Ordinance Number , 2016, "2016 Children & Youth Services Fund Budget Revised Revenue & Expenditures Of \$45,000 And Creation Of Expense Line Item For Non-Federally Funded Adoptions"
Page 33
6. Ordinance Number , 2016, "Erie County Department of Health Body Art Establishment Regulations, Amending Ordinance 152, 2008"
Page 36
7. Resolution Number , 2016, "Recording a \$3,000,000 Loss on the Erie County General Authority Loan in the 2015 Budget"
Page 85
8. Appointment of Matthew P. Hatfield to an unexpired four-year term on the Erie County Human Relations Advisory Board. (Jay Breneman)
Page 86
9. Appointment of Becky Hosack to a four-year term on the Erie County Planning Commission. (CE)
Page 89

10. Appointment of Michelle Griffith-Aresco to a three-year term on the Erie County Agricultural Land Preservation Board. (CE)
Page 91

11. Reappointment of Doris Gernovich to a five-year term on the Erie County Housing Authority. (CE)
Page 93

12. Analysis of General Fund Unassigned Fund Balance.
Page 94

13. **Maher-Duessel to report findings of the 2015 County Audit.**

14. **Joe Aguglia, Esq. – update on HRC.**

(With Proposed Amendments)

ORDINANCE NUMBER 26, 2016

**Twelfth 2016 General Fund Budget Supplemental Appropriation Of \$4,390,879 And
Creation Of Line Item For Intergovernmental Transfer (IGT)
To Benefit Pleasant Ridge Manor**

BE IT ENACTED by the County Council of the County of Erie pursuant to Article II Sections 3B(1), 3B(2)(d) and Article VIII, Section 7 of the Erie County Home Rule Charter; certified by the County Executive that this 2016 General Fund Budget supplemental appropriation of \$4,390,870, and new line item for an Intergovernmental Transfer (IGT) to benefit Pleasant Ridge Manor, is hereby approved as outlined on the attached Exhibit A.

This ordinance shall be effective immediately upon adoption.

COUNTY COUNCIL OF THE
COUNTY OF ERIE, PENNSYLVANIA

Attest:

Douglas R. Smith
County Clerk

André R. Horton, Chairman

Date:_____

Jay Breneman, Vice Chairman

Edward T. DiMattio, Jr.

Approved by:

Kathy Fatica

Kathy Dahlkemper,
County Executive

Dr. Kyle Foust

Date:_____

Fiore Leone

Carol J. Loll

Certificate of the County Executive

I, Kathy Dahlkemper, County Executive for the County of Erie, do hereby certify pursuant to the provisions of Article VIII, Section 8, of the Home Rule Charter for the County of Erie, that there are funds in the amount of \$4,390,879 for a general fund budget supplemental appropriation of for the intergovernmental transfer to benefit Pleasant Ridge Manor.


Kathy Dahlkemper
County Executive

5-9-16
Date

| |
|--|
| Exhibit A 2016 General Fund Budget Supplemental Appropriation of \$4,390,879 For the Intergovernmental Transfer To Benefit Pleasant Ridge Manor |
|--|

| <u>Account Title</u> | <u>Account Number</u> | <u>Amount</u> |
|----------------------------------|-----------------------|---------------------------|
| <u>Total Revenue</u> | | |
| Fund Balance Appropriated | 001-000990-099500 | (4,390,879) |
| Total Revenue | | <u><u>(4,390,879)</u></u> |
| <u>Total Expenditures</u> | | |
| Transfer to Pleasant Ridge Manor | 001-020000-008650 | 4,390,879 |
| Total Expenditures | | <u><u>4,390,879</u></u> |

12/31/2014 DSH
er MA Days

2,105,761
16,118

| | |
|---------------|---------------|
| \$ 27,978,662 | \$ 27,978,662 |
| \$ - | \$ - |
| \$ 27,978,662 | \$ 27,978,662 |

•

37,501

| | |
|----|-------------|
| \$ | 132,060,759 |
| | 2,105,761 |
| | 0 |
| \$ | 17,330,413 |
| \$ | 8,230 |
| \$ | 114,730,346 |
| \$ | 54,48 |

| | |
|----------|------------------|
| Clawback | Phase-Down |
| Payment | Contribution |
| (a) | (b = a / 76.66%) |
| \$126.48 | \$164.99 |

ORDINANCE NUMBER 26, 2016

**Twelfth 2016 General Fund Budget Supplemental Appropriation Of \$4,289,910 And
Creation Of Line Item For Intergovernmental Transfer (IGT)
To Benefit Pleasant Ridge Manor**

BE IT ENACTED by the County Council of the County of Erie pursuant to Article II Sections 3B(1), 3B(2)(d) and Article VIII, Section 7 of the Erie County Home Rule Charter; certified by the County Executive that this 2016 General Fund Budget supplemental appropriation of \$4,289,910, and new line item for an Intergovernmental Transfer (IGT) to benefit Pleasant Ridge Manor, is hereby approved as outlined on the attached Exhibit A.

This ordinance shall be effective immediately upon adoption.

COUNTY COUNCIL OF THE
COUNTY OF ERIE, PENNSYLVANIA

Attest:

Douglas R. Smith
County Clerk

André R. Horton, Chairman

Date: _____

Jay Breneman, Vice Chairman

Edward T. DiMattio, Jr.

Approved by:

Kathy Fatica

Kathy Dahlkemper,
County Executive

Dr. Kyle Foust

Date: _____

Fiore Leone

***Tabled - 4/25/16**

Carol J. Loll

| |
|--|
| Exhibit A 2016 General Fund Budget Supplemental Appropriation of and Creation of a New Line Item For the Intergovernmental Transfer To Benefit Pleasant Ridge Manor |
|--|

| <u>Account Title</u> | <u>Account Number</u> | <u>Amount</u> |
|------------------------------------|-----------------------|--------------------|
| <u>Total Revenue</u> | | |
| Transfer from Pleasant Ridge Manor | 001-020000-099650* | (4,289,910) |
| Total Revenue | | <u>(4,289,910)</u> |
| <u>Total Expenditures</u> | | |
| Transfer to Pleasant Ridge Manor | 001-020000-008650 | 4,289,910 |
| Total Expenditures | | <u>4,289,910</u> |

* Denotes creation of a new line item

(With Proposed Amendments)

Resolution Number 10, 2016

In Support Of The Intergovernmental Transfer Agreement Between The Pa Department Of Human Services, The Office Of Long Term Living And The County Of Erie

WHEREAS, the County of Erie has reviewed the "Terms and Conditions" for participation in the Intergovernmental Transfer Agreement (IGT) between itself and the Pennsylvania Department of Human Services, Office of Long Term Living; and

WHEREAS, the County of Erie is willing to transfer \$4,390,879 in county revenues to the Commonwealth for the eventual return of \$6,684,242, which includes the old MDOI, (Medical Assistance Day One Incentive) the new MDOI and the IGT payment; and

WHEREAS, the 2016 IGT Transfer will net \$1,436,357 in funds to cover the cost of care for the residents of Pleasant Ridge Manor; and

RESOLVED, THE COUNTY COUNCIL OF ERIE COUNTY consents to participate in the Intergovernmental Transfer Agreement the Pennsylvania Department of Human Services, Office of Long Term Living, attached hereto as Exhibit A.

On the motion of _____, seconded by _____, this resolution was

passed on this _____ day of _____, 2016 by a vote of _____ to _____.

APPROVED BY:

Andre' R. Horton, Chairman
Erie County Council

Kathy Dahlkemper
County Executive

Date: _____

ATTEST:

Douglas R. Smith
County Clerk

Date: _____

Agreement of
Pennsylvania Department of Human Services,
Office of Long-Term Living
and
Erie County

This Intergovernmental Transfer Agreement ("Agreement"), by and between the Pennsylvania Department of Human Services, Office of Long-Term Living ("DHS, OLTL") and Erie County ("the County") provides for intergovernmental transfers of funds to DHS in order to provide the non-federal share of Medical Assistance ("MA") payments to county nursing facilities.

The County and DHS, OLTL (collectively referred to as "the parties") agree as follows:

1. Program Description. PLEASANT RIDGE MANOR EAST/WEST (hereinafter "the County Nursing Facility") is a Pennsylvania licensed nursing facility located in and controlled by the County. The County Nursing Facility is an enrolled provider in the MA Program. The County will transfer funds to DHS. The transfer of funds from the County to DHS is known as an intergovernmental transfer ("IGT"). DHS will use the IGTs as the non-federal share (or "state share") of enhanced MA payments to the County Nursing Facility as outlined in this Agreement, which, in turn, will be matched by additional Federal Financial Participation. The use of IGTs to fund Medicaid expenditures is authorized under the Social Security Act and the regulations of the Centers for Medicare and Medicaid Services ("CMS") (See 42 CFR 433.51 - Public Funds as the State share of financial participation).
2. CMS Approval Required. The County shall transfer funds only after DHS receives approval from CMS for the enhanced MA payments.
3. Voluntariness. The County attests that it entered voluntarily into this Agreement to make the IGTs described hereunder.
4. Permissible Sources. The County shall ensure that the IGT funds provided to DHS meet the requirements of 42 CFR 433.51, and are not derived from an impermissible source, including recycled Medicaid payments, Federal money precluded from use as the State Share, impermissible taxes, and non-bona fide provider-related donations. At the time the County makes an IGT to DHS, the County shall certify to DHS that the IGT funds are derived from state or local bonds, tax revenue or other permissible sources using the form attached hereto as Exhibit A.
5. Transfer and Use of Funds. The parties will transfer and use the IGT funds as specified below.
 - a. The County shall transfer funds to DHS via the Automated Clearing House or via wire transfer to an account designated by DHS prior to the

payments by DHS, OLTL for Medical Assistance Day One Incentive ("MDOI") Payments to County Nursing Facilities permitted under the Commonwealth's State Plan.

- b. The County shall make an IGT in the total annual amount of \$4,390,879 on a date agreed to by DHS and the Pennsylvania Coalition of Affiliated Healthcare and Living Communities ("PACAH").
 - c. DHS, OLTL will use \$3,207,768 of the total annual IGT to fund the non-federal share (or "state share") of an increase in MDOI Payments to the County Nursing Facility ("MDOI Increase"), as authorized by State Plan Amendment 15-0040, approved April 4, 2016. The total amount of the MDOI Increase will be \$6,684,242.
 - d. DHS, OLTL will use \$1,183,111 of the total annual IGT to offset the amount appropriated for state-funded county-administered human services programs and for satisfaction of the County's obligation of ten percent (10%) of the non-federal share of public nursing home care under 62 P.S. § 472.
 - e. The dollar amounts set forth in subsection c above were determined using the Federal Medical Assistance Percentage ("FMAP") rate in effect as of the effective date of this IGT Agreement. Consequently, those amounts, including the MDOI Increase authorized under SPA 15-0040, are subject to and may be adjusted to reflect any annual changes in the FMAP.
 - f. DHS shall use its best efforts to pay the MDOI Payments Increase specified in subsection (c) above through its then-existing payment process within twenty-one (21) calendar days from the date DHS received the IGT from the County.
6. The County Nursing Facility shall not be required to return the payments funded with IGTs made pursuant to this Agreement, in whole or in part, to the County; however, nothing in this Agreement is intended to, nor does it limit the County Nursing Facility's discretion to use the payments it receives as it deems appropriate.
7. Deferrals and Disallowances.
- a. DHS will use its best efforts to notify the County and PACAH within 10 working days if CMS defers or disallows Federal Financial Participation ("FFP") in the MDOI Payments made to the County Nursing Facility pursuant to SPA 15-0040. DHS will consult with and provide the County and PACAH a copy of DHS response to the CMS deferral or disallowance.
 - b. If CMS disallows FFP in the MDOI Increase paid to the County Nursing Facility pursuant SPA 15-0040, DHS shall recoup the disallowed FFP, and any related interest and penalties, if any, (collectively "the disallowance")

by offsetting the amount of the disallowance from payments otherwise due to the County Nursing Facility. The disallowed FFP shall not exceed the amount of the MDOI Increase of \$6,684,242 less the amount of the associated state share of \$3,207,768, as identified in Section 5(c) above. In the event the total amount of the disallowance cannot be offset against payments otherwise due to the County Nursing Facility, the County Nursing Facility shall take such other measures as may be necessary to return the total disallowance to DHS, at the discretion of DHS. The County Nursing Facility shall be permitted to retain the state share identified in Section 5(c) above.

- c. If DHS determines that meritorious grounds exist to appeal CMS' disallowance of FFP in MDOI payments made to the County Nursing Facility under SPA 15-0040, DHS shall file an appeal with the United States Department of Health & Human Services Departmental Appeals Board contesting the CMS' disallowance. In the event DHS files such an appeal, DHS will not object if the County and/or County Nursing Facility seeks to intervene in and to appear with DHS as a party to the appeal.
8. If, after the County has made the IGT but before DHS pays the MDOI Increase authorized by SPA 15-0040, CMS, for any reason, does not permit or revokes approval of the IGT program described herein, then DHS is required to return the same amount of funds transferred by the IGT to the County within twenty-one (21) calendar days of DHS receiving such notification.
9. Record Maintenance. The parties shall maintain necessary records and supporting documentation applicable to the IGTs and the payments to County Nursing Facilities and other Medicaid payments to assure that claims for total funds and federal funds are in accordance with applicable federal requirements.
10. Records Access and Cooperation. The County shall provide DHS or its designee access to the County's records and the supporting documentation relating to the IGTs and shall cooperate and assist DHS, as requested, in any federal or state review or audit of the IGTs or payments funded with those IGTs.
11. Notices. Any written notice required by the Agreement shall be sent to:

For the Department

For Erie County

Name: Peggy Morningstar

Name:

E-mail address: pmorningst@pa.gov

E-mail address:

Mailing address:

Mailing address:

Department of Human Services
Office of Long-Term Living
555 Walnut Street, 6th floor
Hbg, PA 17105-8025

12. Term; Termination. This Agreement shall become effective on the earliest date it is fully executed by both parties and shall terminate on June 30, 2016 or on the date that the County receives the MDOI payment authorized under paragraph 5.c., above, whichever date is later. Notwithstanding the foregoing, either party may terminate this Agreement by providing 30 days advance written notice to the other party.

13. Survival. Sections 4 and 6 through 10 of this Agreement shall survive termination of the Agreement.

14. Rights and Responsibilities. This Agreement is only intended to establish the IGT set forth above, and nothing in this Agreement shall be construed to limit, restrict or modify the respective rights and responsibilities of either party under federal or state law and policies, including the right of DHS to recover overpayments made to the County Nursing Facility other than the state share set forth in paragraph 5.b., above.

The parties, by their authorized representatives, have duly executed this agreement and each party acknowledges the receipt of a duly executed copy of this agreement with original signatures.

PENNSYLVANIA DEPARTMENT OF
HUMAN SERVICES

ERIE COUNTY

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

By: _____

By: _____

Date: _____

Date: _____

| PROVIDER NAME | 6/30/2014 | UPL | IGT 1 | IGT 2/State Gain | Total IGT | MDOI Pymt | Payment | Payment | Net Gain (Total MDOI - Total IGT) | Net NF Gain Less Old MDOI | Net NF Gain Less Old MDOI | 12/31/2014 DSH |
|--|-----------|----------------|--------------------|------------------|-----------------|-------------------|----------------|----------------|-----------------------------------|---------------------------|---------------------------|----------------|
| | | | | | | | | | | | | |
| ARMSTRONG COUNTY HEALTH CENTER | 22,369 | \$ 2,479,009 | \$ 719,800 | \$ 265,481 | \$ (985,281) | \$ 184,097 | \$ 1,315,798 | \$ 1,499,895 | \$ 514,614 | \$ 330,517 | \$ 13,71 | 24,100 |
| BERKS HEIM NURSING & REHABILITATION | 120,256 | \$ 8,096,030 | \$ 3,612,588 | \$ 1,332,419 | \$ (4,945,007) | \$ 989,707 | \$ 6,538,087 | \$ 7,527,793 | \$ 2,582,786 | \$ 1,593,079 | \$ 13,17 | 120,955 |
| BRADFORD COUNTY MANOR | 39,850 | \$ 4,116,455 | \$ 1,213,116 | \$ 447,430 | \$ (1,660,546) | \$ 327,966 | \$ 2,199,887 | \$ 2,527,852 | \$ 867,305 | \$ 539,341 | \$ 13,28 | 40,617 |
| CEDARBROOK NURSING HOMES | 193,996 | \$ 10,045,123 | \$ 5,852,927 | \$ 2,158,717 | \$ (8,011,644) | \$ 1,596,587 | \$ 10,599,552 | \$ 12,196,139 | \$ 4,184,495 | \$ 2,587,908 | \$ 13,21 | 195,965 |
| CLAREMONT NRC OF CUMBERLAND COUNTY | 75,160 | \$ 6,121,258 | \$ 2,246,283 | \$ 828,489 | \$ (3,074,772) | \$ 618,567 | \$ 4,062,164 | \$ 4,680,731 | \$ 1,605,959 | \$ 987,392 | \$ 13,13 | 75,209 |
| COMMUNITIES AT INDIAN HAVEN | 19,243 | \$ 2,206,289 | \$ 963,953 | \$ 208,001 | \$ (771,953) | \$ 198,370 | \$ 1,016,776 | \$ 1,175,146 | \$ 403,193 | \$ 244,823 | \$ 12,97 | 18,882 |
| CRAWFORD COUNTY CARE CENTER | 42,107 | \$ 4,002,295 | \$ 1,231,753 | \$ 454,304 | \$ (1,686,057) | \$ 346,541 | \$ 2,220,147 | \$ 2,566,688 | \$ 880,631 | \$ 534,090 | \$ 12,95 | 41,241 |
| FAIR ACRES GERIATRIC CENTER | 278,672 | \$ 17,905,575 | \$ 8,162,409 | \$ 3,010,516 | \$ (11,172,925) | \$ 2,293,471 | \$ 14,715,092 | \$ 17,008,562 | \$ 5,835,638 | \$ 3,542,167 | \$ 12,96 | 273,290 |
| GRACEDALE - NORTHAMPTON COUNTY HOME | 185,536 | \$ 9,720,370 | \$ 5,717,509 | \$ 2,108,771 | \$ (7,826,280) | \$ 1,526,961 | \$ 10,386,959 | \$ 11,913,960 | \$ 4,087,680 | \$ 2,560,718 | \$ 13,38 | 191,431 |
| JOHN J KANE REGIONAL CENTER-GLEN HAZEL | 57,988 | \$ 680,186 | \$ 1,806,638 | \$ 666,336 | \$ (2,472,974) | \$ 477,241 | \$ 3,287,371 | \$ 3,764,612 | \$ 1,291,639 | \$ 814,397 | \$ 13,46 | 60,469 |
| JOHN J KANE REGIONAL CENTER-MCKEESPORT | 88,099 | \$ 4,245,828 | \$ 2,690,229 | \$ 992,229 | \$ (3,682,458) | \$ 725,055 | \$ 4,880,757 | \$ 5,605,812 | \$ 1,523,354 | \$ 1,198,299 | \$ 13,30 | 90,073 |
| JOHN J KANE REGIONAL CENTER-ROSS TOWNSHIP | 67,211 | \$ 2,562,134 | \$ 2,051,907 | \$ 756,798 | \$ (2,808,705) | \$ 553,147 | \$ 3,722,551 | \$ 4,275,697 | \$ 1,466,992 | \$ 913,845 | \$ 13,30 | 68,701 |
| JOHN J KANE REGIONAL CENTER-SCOTT TOWNSHIP | 65,705 | \$ 3,475,265 | \$ 2,013,856 | \$ 742,764 | \$ (2,756,620) | \$ 540,752 | \$ 3,655,656 | \$ 4,196,408 | \$ 1,435,788 | \$ 899,035 | \$ 13,33 | 67,427 |
| NESHAMINY MANOR HOME | 95,329 | \$ 7,682,633 | \$ 2,887,114 | \$ 1,064,845 | \$ (3,951,959) | \$ 784,558 | \$ 5,231,516 | \$ 6,016,073 | \$ 2,064,115 | \$ 1,279,557 | \$ 13,24 | 96,665 |
| PHILADELPHIA NURSING HOME | 134,408 | \$ 11,150,384 | \$ 3,990,558 | \$ 1,471,825 | \$ (5,462,392) | \$ 1,106,178 | \$ 7,209,216 | \$ 8,315,394 | \$ 2,853,012 | \$ 1,746,834 | \$ 13,07 | 133,610 |
| PLEASANT ACRES NURSING AND REHAB CENTER | 113,230 | \$ 6,861,780 | \$ 3,286,797 | \$ 1,212,259 | \$ (4,499,055) | \$ 931,853 | \$ 5,917,037 | \$ 6,848,920 | \$ 2,349,864 | \$ 1,417,981 | \$ 12,89 | 110,047 |
| PLEASANT RIDGE MANOR EAST/WEST | 104,132 | \$ 2,100,803 | \$ 3,207,768 | \$ 1,183,111 | \$ (4,380,879) | \$ 857,006 | \$ 5,827,236 | \$ 6,684,242 | \$ 2,293,364 | \$ 1,436,357 | \$ 13,37 | 107,401 |
| PLEASANT VALLEY MANOR, INC | 43,465 | \$ 5,763,326 | \$ 1,360,899 | \$ 501,936 | \$ (1,862,835) | \$ 357,717 | \$ 2,478,081 | \$ 2,835,798 | \$ 972,962 | \$ 615,245 | \$ 13,50 | 45,565 |
| POOPOSON HOME | 85,348 | \$ 7,019,014 | \$ 2,492,239 | \$ 919,205 | \$ (3,411,444) | \$ 702,414 | \$ 4,490,833 | \$ 5,193,247 | \$ 1,781,803 | \$ 1,079,389 | \$ 12,94 | 83,444 |
| ROUSE WARREN COUNTY HOME | 40,910 | \$ 4,550,989 | \$ 1,257,499 | \$ 463,799 | \$ (1,721,298) | \$ 336,689 | \$ 2,283,646 | \$ 2,620,336 | \$ 899,037 | \$ 562,348 | \$ 13,36 | 42,103 |
| SUSQUE VIEW HOME, INC | 39,870 | \$ 3,877,913 | \$ 1,161,745 | \$ 428,483 | \$ (1,590,227) | \$ 328,130 | \$ 2,092,676 | \$ 2,420,806 | \$ 830,579 | \$ 502,448 | \$ 12,92 | 38,897 |
| WASHINGTON COUNTY HEALTH CENTER | 73,772 | \$ 3,967,879 | \$ 2,286,753 | \$ 843,416 | \$ (3,130,169) | \$ 607,144 | \$ 4,157,918 | \$ 4,765,061 | \$ 1,634,892 | \$ 1,027,749 | \$ 13,42 | 76,564 |
| WESTMORELAND MANOR | 119,105 | \$ 3,420,220 | \$ 3,560,261 | \$ 1,313,120 | \$ (4,873,380) | \$ 980,234 | \$ 6,438,521 | \$ 7,418,755 | \$ 2,545,375 | \$ 1,565,141 | \$ 13,13 | 119,203 |
| Total | 2,105,761 | \$ 132,060,759 | \$ 63,374,600 | \$ 23,374,253 | \$ (86,748,853) | \$ 17,330,413 | \$ 114,727,516 | \$ 132,057,929 | \$ 45,309,075 | \$ 27,978,652 | \$ 13,29 | 2,121,879 |
| | | \$ 132,060,759 | \$ 1415 State Gain | \$ (10,233,176) | | \$ 132,057,928.58 | \$ 155,678,197 | | | | | 2,105,761 |
| | | \$ 132,060,759 | | | | \$ 63,374,599.93 | | | | | | 16,118 |

Confidential: The contents of this document are internal pre-decisional records of the DHS and individuals receiving and reviewing this document must not provide this information to any other person without written permission. 65 P.S. § 67.70 \$ 27,978,652

15/16 Budget Adjustments
 Projected decrease Days
 Decreased MDOI Payment
 PAP Reduction
 Fair Acres supplemental payment reduction
 Total Projected Budget Adjustments

| | | | | |
|---------|----------------|------------------|-----------------|---------------|
| -30,904 | \$ 132,060,759 | \$ 23,374,253 | \$ (18,500,000) | \$ 4,874,253 |
| | \$ 136,228,292 | \$ 23,374,253 | \$ (18,500,000) | \$ 4,874,253 |
| | \$ (4,151,000) | \$ 11,533,806.50 | \$ 16,408,060 | \$ 16,408,060 |
| | | \$ 16,408,060 | | |

Assumes county NFs with upl room of less than \$5 million choose not to do IGT

Removed Rest Haven as county NF
 REST HAVEN

| | | | | |
|--------------------------------------|----------------|---------------|-----------------|--------------|
| UPL | \$ 132,060,759 | \$ 23,374,253 | \$ (18,500,000) | \$ 4,874,253 |
| Days for Participating | 2,105,761 | | | |
| Less Amount for 1415 PAP Restoration | 0 | | | |
| 1415 MDOI Funding | \$ 17,330,413 | | | |
| 1415 MDOI Per Diem | \$ 8,230 | | | |
| "New" MDOI Funding | \$ 114,730,346 | | | |
| Per Diem | \$ 54,48 | | | |

| | |
|-----------------------|---|
| Note: Part D estimate | Removal of Phase-Down Contribution (b = a / 76.66%) |
| Clawback Payment (a) | \$126.48 |
| | \$164.99 |

Certification for Intergovernmental Transfers Agreement

I certify that I am authorized to sign this certification on behalf of the County listed below and that the source of funds submitted to the Commonwealth of Pennsylvania for the intergovernmental transfer (IGT) identified below is derived from state or local bonds, tax revenue or other permissible sources.

Signed: _____

Print Name: Kathy Dahlkemper

Title: County Executive

Name of County: Erie County

Name of Nursing Facility(s) Receiving Payment: Pleasant Ridge Manor

Total Amount of IGT: \$4,390,879

Date: _____

Resolution Number 10, 2016

In Support Of The Intergovernmental Transfer Agreement Between The Pa Department Of Human Services, The Office Of Long Term Living And The County Of Erie

WHEREAS, the County of Erie has reviewed the "Terms and Conditions" for participation in the Intergovernmental Transfer Agreement (IGT) between itself and the Pennsylvania Department of Human Services, Office of Long Term Living; and

WHEREAS, the County of Erie is willing to transfer \$4,289,910 in county revenues to the Commonwealth for the eventual return of \$6,530,537, which includes the old MDOI, (Medical Assistance Day One Incentive) the new MDOI and the IGT payment; and

WHEREAS, the 2016 IGT Transfer will net \$1,383,621 in funds to cover the cost of care for the residents of Pleasant Ridge Manor; and

RESOLVED, THE COUNTY COUNCIL OF ERIE COUNTY consents to participate in the Intergovernmental Transfer Agreement the Pennsylvania Department of Human Services, Office of Long Term Living, attached hereto as Exhibit A.

On the motion of _____, seconded by _____, this resolution was passed on this _____ day of _____, 2016 by a vote of _____ to _____.

APPROVED BY:

Andre' R. Horton, Chairman
Erie County Council

Kathy Dahlkemper
County Executive

Date: _____

ATTEST:

***4/12/16 - Tabled**

Douglas R. Smith
County Clerk

Date: _____

Agreement of
Pennsylvania Department of Human Services,
Office of Long-Term Living
and
Erie County

This Intergovernmental Transfer Agreement (Agreement), by and between the Pennsylvania Department of Human Services, Office of Long-Term Living (DHS, OLTL) and Erie County (the County) provides for intergovernmental transfers of funds to DHS in order to provide the non-federal share of Medical Assistance (MA) payments to County Nursing Facilities

The County and DHS, OLTL (collectively referred to as "the parties") agree as follows:

1. **Program Description.** The County will transfer funds to DHS. The transfer of funds from the County to DHS is known as an intergovernmental transfer (IGT). DHS will use the IGTs as the state share of MA payments outlined in this Agreement, which, in turn, will be matched by additional Federal Financial Participation. The use of IGTs to fund Medicaid expenditures is authorized under the Social Security Act and the regulations of the Centers for Medicare and Medicaid Services (CMS) (See 42 CFR 433.51 - Public Funds as the State share of financial participation).
2. **CMS Approval Required.** The County shall transfer funds only after DHS receives approval from CMS for the enhanced payments.
3. **Voluntariness.** The County attests that it entered voluntarily into this Agreement to make the IGTs described hereunder.
4. **Permissible Sources.** The County shall ensure that the IGT funds provided to DHS meet the requirements of 42 CFR 433, Subpart B, and are not derived from an impermissible source, including recycled Medicaid payments, Federal money precluded from use as the State Share, impermissible taxes, and non-bona fide provider-related donations. Each time the County makes an IGT to DHS, the County shall specify the source of the IGT funds (e.g., governmental taxes - state taxes, county taxes; governmental operations).
5. **Transfer and Use of Funds.** The parties will transfer and use the IGT funds as specified below.
 - a. The County shall transfer funds to DHS via the Automated Clearing House or via wire transfer to an account designated by DHS prior to the payments by DHS, OLTL for Medical Assistance Day One Incentive (MDOI) Payments to County Nursing Facilities permitted under 62 P.S. § 443.1(7) and set forth in State Plan Attachment 4.19 D, Part Ia.

- b. The County shall make an IGT in the total annual amount of \$4,289,910.00 on a date agreed to by DHS and the Pennsylvania Coalition of Affiliated Healthcare and Living Communities.
 - c. DHS, OLTL will use \$3,134,005.00 of the total annual IGT funds for the non-federal share for MDOI Payments made pursuant to State Plan Amendment 15-0040, the State Plan Attachment 4.19 D, Part Ia and 55 Pa. Code Chapter 1189 relating to County Nursing Facility Services.
 - d. DHS, OLTL will use \$1,155,905.00 of the total annual IGT fund to offset the amount appropriated for the non-federal share for payments made pursuant to the Case-Mix Payment System for Nursing Facility Services section of Attachment 4-19D of the Pennsylvania Medicaid State Plan 4.19-D, Part IA and 55 Pa. Code Chapter 1189 relating to County Nursing Facility Services for Medical Assistance days of care paid through the Medicaid per diem rate.
 - e. DHS shall use its best efforts to pay the MDOI Payments through its then-existing payment process within twenty-one (21) calendar days from the date DHS received the IGT from the County.
6. County Nursing Facility Indemnification Prohibited. A county nursing facility receiving payments funded with IGTs made pursuant to this Agreement shall not be required to return the payments, in whole or in part, to the County or to reimburse the County for IGTs made to DHS.
7. Indemnification by County to the State. If, after the County renders the IGT and DHS has made the MDOI Payments, CMS disallows all or some of the Federal Financial Participation related to the IGTs or payments for which IGT funds were used, then Erie County shall pay DHS only the disallowed Federal Financial Participation, including any interest and penalty, or otherwise Indemnify and hold DHS harmless at the discretion of DHS.
8. Indemnification by the State to the County. If, after the County has made the IGT but before DHS makes the MDOI payment, CMS, for any reason, does not permit or revokes approval of the IGT program described herein, then DHS is required to return the same amount of funds transferred by the IGT to the County within twenty-one (21) calendar days of DHS receiving such notification.
9. Record Maintenance. The parties shall maintain necessary records and supporting documentation applicable to the IGTs and the payments to County Nursing Facilities and other Medicaid payments to assure that claims for total funds and federal funds are in accordance with applicable federal requirements.
10. Records Access and Cooperation. The County shall provide DHS or its designee access to the County's records and the supporting documentation relating to the IGTs and shall cooperate and assist DHS, as requested, in any federal or state review or audit of the IGTs or payments funded with those IGTs.

11. Notices. Any written notice required by the Agreement shall be sent to:

For the Department

For Erie County

Name: Peggy L. Morningstar

Name:

E-mail address: pmorningst@pa.gov

E-mail address:

Mailing address:

Mailing address:

Department of Human Services
Office of Long-Term Living
555 Walnut St, 6th Floor
Harrisburg, PA 17105-8025

12. Term; Termination. This Agreement shall become effective on the earliest date it is fully executed by both parties and shall terminate on June 30, 2016 or on the date that the County receives the MDOI payment authorized under paragraph 5.c., above, whichever date is later. Notwithstanding the foregoing, either party may terminate this Agreement by providing 30 days advance written notice to the other party.

13. Survival. Sections 4 and 6 through 10 of this Agreement shall survive termination of the Agreement.

14. Authority. Nothing in this Agreement shall be construed to limit, restrict or modify DHS's powers, authority or duties under federal or state law and policies derived therefrom.

The parties, by their authorized representatives, have duly executed this agreement and each party acknowledges the receipt of a duly executed copy of this agreement with original signatures.

PENNSYLVANIA DEPARTMENT OF
HUMAN SERVICES

ERIE COUNTY

Printed Name: Peggy L. Morningstar

Printed Name: KATHY DATLKEMPER

Title: CFO/Director of Finance

Title: COUNTY EXECUTIVE

By: _____

By: Kathy Datl Kemper

Date: _____

Date: _____

ORDINANCE NUMBER , 2016

**_____ 2016 General Fund Budget Supplemental Appropriation Of \$35,533 For
PCCD Trauma Related Services Grant**

BE IT ENACTED by the County Council of the County of Erie pursuant to Article II, Sections 3B(1), 3B(2)(f) and Article VIII, Section 8 of the Erie County Home Rule Charter; certified by the County Executive that a 2016 General Fund Budget supplemental appropriation of \$35,533 of a Pennsylvania Commission On Crime and Delinquency Grant; funding a program for veterans in crisis to divert them from the criminal justice system, is hereby approved as outlined on the attached Exhibit A.

This ordinance shall be effective immediately upon adoption.

COUNTY COUNCIL OF THE
COUNTY OF ERIE, PENNSYLVANIA

Attest:

Douglas R. Smith
County Clerk

André R. Horton, Chairman

Date:_____

Jay Breneman, Vice Chairman

Edward T. DiMattio, Jr.

Approved by:

Kathy Fatica

Kathy Dahlkemper,
County Executive

Dr. Kyle Foust

Date:_____

Fiore Leone

Carol J. Loll

Certificate of the County Executive

I, Kathy Dahlkemper, County Executive for the County of Erie, do hereby certify pursuant to the provisions of Article VIII, Section 8, of the Home Rule Charter for the County of Erie, that there are funds in the amount of \$35,533 for a general fund budget supplemental appropriation for an Adult Probation PCCD Grant for trauma related services.



Kathy Dahlkemper
County Executive

5-9-16

Date

| |
|--|
| Exhibit A 2016 General Fund Budget Supplemental Appropriation of \$35,533 For Adult Probation PCCD Grant Trauma Related Services - Diverting Veterans |
|--|

| <u>Account Title</u> | <u>Account Number</u> | <u>Amount</u> |
|---------------------------|-----------------------|------------------------|
| <u>Total Revenue</u> | | |
| PCCD Grant | 001-004010-051400 | (20,000) |
| Fund Balance Appropriated | 001-000990-099500 | (15,533) |
| Total Revenue | | <u><u>(35,533)</u></u> |
| <u>Total Expenditures</u> | | |
| Travel | 001-004010-002010 | 5,231 |
| Pass Thru | 001-004010-006050 | 30,302 |
| Total Expenditures | | <u><u>35,533</u></u> |

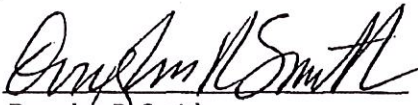
ORDINANCE NUMBER 34, 2015

**Fifteenth 2015 General Fund Budget Supplemental Appropriation Of \$32,234 And
Creation Of Line Item In Adult Probation For Veterans Diversion Program
Through PCCD Grant**

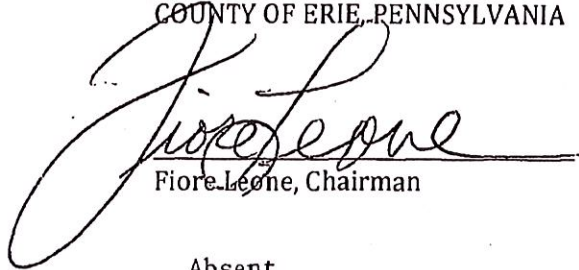
BE IT ENACTED by the County Council of the County of Erie pursuant to Article II, Sections 3B(1), 3B(2)(f) and Article VIII, Section 8 of the Erie County Home Rule Charter, and certified by the County Executive, that this 2015 General Fund Budget supplemental appropriation of \$32,234 and creation of *Pass Thru* line item for a Veterans Diversion Program funded by a PCCD Grant in Adult Probation, is hereby approved as outlined on the attached Exhibit A. This ordinance shall be effective immediately upon adoption.

COUNTY COUNCIL OF THE
COUNTY OF ERIE, PENNSYLVANIA

Attest:



Douglas R. Smith
County Clerk


Date: March 24, 2015

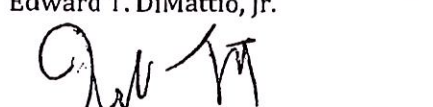

Fiore Leone, Chairman

Absent

Phil Fatica, Vice Chairman


Jay Breneman



Edward T. DiMattio, Jr.

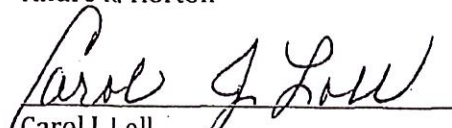

Dr. Kyle Foust

Approved by:


Kathy Dahlkemper,
County Executive


Date: 3-25-15


André R. Horton


Carol J. Loll

Certificate of the County Executive

I, Kathy Dahlkemper, County Executive for the County of Erie, do hereby certify pursuant to the provisions of Article VIII, Section 8, of the Home Rule Charter for the County of Erie, that there are funds in the amount of \$32,234 for supplemental appropriation for the creation of a new line item for the New Adult Probation PCCD Grant Trauma Related Services: Diverting Veterans.



Kathy Dahlkemper,
County Executive

3/18/15
Date

Exhibit A
2015 General Fund Budget
Supplemental Appropriation of \$32,234
and Creation of a New Line Item
For New Adult Probation PCCD Grant
Trauma Related Services - Diverting
Veterans

| <u>Account Title</u> | <u>Account Number</u> | <u>Amount</u> |
|---------------------------|-----------------------|-----------------|
| <u>Total Revenue</u> | | |
| PCCD Grant | 001-004010-051400 | (32,234) |
| Total Revenue | | <u>(32,234)</u> |
| <u>Total Expenditures</u> | | |
| Travel Work Required | 001-004010-002010 | 6,530 |
| Pass - Thru | 001-004010-006050* | 25,704 |
| Total Expenditures | | <u>32,234</u> |

*Denotes creation of a new line item

**PENNSYLVANIA COMMISSION ON CRIME
AND DELINQUENCY**

Applicant Hereby Applies to the PCCD for Financial
Support for the Within-Described Project:

PCCD USE ONLY

| Receipt Date | Award Date | Subgrant Number(s) |
|--------------|------------|--------------------|
| 8/28/2014 | 12/10/2014 | 2014-DV-01 25578 |

| | | | |
|--|--|--|--|
| 1. Type of Funds for which you are applying | OMHSAS Trauma Related Services - Diverting Veterans (Federal 93.243 OMHSAS) | | |
| 2. Applicant | Name Of Applicant: Erie County Chief Executive Federal I.D: 25-6001027 County: Erie Street Address Line 1: 140 West 6th Street Address Line 2: Courthouse Address Line 3: City: Erie State: PA Zip: 16501-1011 | | |
| 3. Recipient Agencies | Erie County Chief Executive | | |
| 4. Project Director | Name: Mr. Jeffrey A. Shaw Title: Director of Adult Probation Agency: Erie County Street Address Line 1: 140 West 6th St. Address Line 2: Erie County Courthouse, Third Floor, West Wing Address Line 3: City: Erie State: PA Zip: 16501 Phone: 814-451-7068 Fax: 814-451-6300 Email: jshaw@eriecountygov.org | | |
| 5. Financial Officer | Name: Ms. Lori Pius Title: Staff Account Agency: Erie County Chief Executive Street Address Line 1: 140 West 6th Street Address Line 2: Courthouse Address Line 3: City: Erie State: PA Zip: 16501-1011 Phone: 814-451-6448 Fax: 814-451-6300 Email: lpilus@eriecountygov.org | | |
| 6. Contact | Name: Mr. Dante J. Battles Title: Supervisor Agency: Erie County Street Address Line 1: 140 West Sixth Street Address Line 2: Erie County Courthouse, Third Floor, West Wing Address Line 3: City: Erie State: PA Zip: 16501 Phone: 814-451-6470 Fax: 814-451-6300 Email: dbattles@eriecountygov.org | | |
| 7. Brief Summary of Project | Short Title (May not exceed 50 characters) Mental Health First Aid for Veterans (Do Not Exceed Space Provided) This project seeks to enhance specialized response to veterans in crisis to divert them from the criminal justice system and provide supportive linkage to other systems. The project provides Mental Health First Aid training to first responders, crisis workers, and those likely to interface with veterans in crisis. | | |

8. Subgrant Budget TOTAL BUDGET BY CATEGORY

| BUDGET CATEGORY | AMOUNT |
|-------------------------------|------------------|
| PERSONNEL | 0.00 |
| EMPLOYEE BENEFITS | 0.00 |
| TRAVEL (INCLUDING TRAINING) | 13,060.00 |
| EQUIPMENT | 0.00 |
| SUPPLIES & OPERATING EXPENSES | 10,350.00 |
| CONSULTANTS | 5,202.00 |
| CONSTRUCTION | 0.00 |
| OTHER | 3,622.00 |
| TOTAL | 32,234.00 |

9. TOTAL BUDGET BY FUND SOURCE

| FUND SOURCE | AMOUNT | PERCENT |
|---------------------------|------------------|-------------|
| FEDERAL | 32,234.00 | 100% |
| STATE | 0.00 | |
| PROJECT INCOME | 0.00 | |
| INTEREST | 0.00 | |
| STATE MATCH | 0.00 | |
| CASH MATCH (NEW APPROVAL) | 0.00 | |
| IN-KIND MATCH | 0.00 | |
| PROJECT INCOME MATCH | 0.00 | |
| TOTAL | 32,234.00 | 100% |

10. Project Start Date: 1/1/2015

Project End Date: 3/31/2016

Fund Name GENERAL FUND

County of Erie Pennsylvania
Department of Finance

Receipt Number 52639

Receipt Date 03/31/2016

Received From: COUNTY OF YORK

For: GRANT AUGMENTATION
15-1940 PT JAIL DIV

Receipt Amount 20,000.00

Check: 20,000.00 Cash: 0.00 Other: 0.00

Account Number 001-004010-051400

Amount 20,000.00

To: YORK/ADAMS MH-IDD PROGRAM
100 WEST MARKET STREET, SUITE 301
YORK, PA 17401
(v) 717.771.9618
E- mail to SDNoya@yorkcountypa.gov

Ferry Maloney, Project Director 9/30/2015
Signature Title Date

COUNTY OF YORK
OPERATING ACCOUNT
 28 EAST MARKET ST
 YORK, PA 17401

FULTON BANK
 CROFTS DIVISION
 YORK, PA

CHECK NO. 861343
 CHECK DATE 11/04/15
 AMOUNT \$****25,000.00*

PAY TO THE ORDER OF TWENTY FIVE THOUSAND DOLLARS & ZERO CENTS

COUNTY OF ERIE
 140 WEST NINTH STREET
 ERIE, PA 16501

VOID AFTER 180 DAYS

COUNTY COMMISSIONERS
COUNTY TREASURER

861343 1031301422 0001 71573

COUNTY OF ERIE

VENDOR NO. 107308

CHECK NO. 861343

861343
 11/04/15

| ACCOUNT | PURCH. ORDER | INVOICE NUMBER | AMOUNT | DESCRIPTION |
|----------------|--------------|----------------|-----------|---------------------|
| 287029 5200137 | | 15-0631 | 25,000.00 | 15-0631 PT JAIL DIV |

Mailing Address:

County of Erie/Adult Probation/Parole
 140 West 6th Street,
 Erie, PA 16501
 Attention: Lori Plus (Room 306)

ORDINANCE NUMBER , 2016

**2016 Library Fund Budget Revised Revenue & Expenditures Of \$3,366 And Creation
Of Line Item For Additional State Grant Reimbursements**

BE IT ENACTED by the County Council of the County of Erie pursuant to Article II Sections 3B(1), and 3B(2)(f), of the Erie County Home Rule Charter that Revised Revenue and Expenditures of \$3,366 and the creation of a line item in the 2016 Library Fund Budget, for additional State Grant Reimbursements for travel and training, are hereby approved as outlined on the attached Exhibit A.

This ordinance shall be effective immediately upon adoption.

COUNTY COUNCIL OF THE
COUNTY OF ERIE, PENNSYLVANIA

Attest:

Douglas R. Smith
County Clerk

André R. Horton, Chairman

Date: _____

Jay Breneman, Vice Chairman

Edward T. DiMattio, Jr.

Approved by:

Kathy Fatica

Kathy Dahlkemper,
County Executive

Dr. Kyle Foust

Date: _____

Fiore Leone

Carol J. Loll

| |
|---|
| Exhibit A 2016 Library Fund Budget Revised Revenue and Expenditures of \$3,366 For Creation of Line Item for Grant Revenue due to additional State Reimbursement |
|---|

| <u>Account Title</u> | <u>Account Number</u> | <u>Amount</u> |
|---------------------------|-----------------------|-----------------------|
| <u>Total Revenue</u> | | |
| Grant Revenue | 054-017100-0051300* | (3,366) |
| Total Revenue | | <u><u>(3,366)</u></u> |
| <u>Total Expenditures</u> | | |
| Travel - Work Required | 054-017100-002010 | 900 |
| Training | 054-017100-002040 | 2,466 |
| Total Expenditures | | <u><u>3,366</u></u> |

* Denotes creation of a new line item

ERIE COUNTY PUBLIC LIBRARY INTEROFFICE MEMORANDUM

TO: JEN ERTL
FROM: ERIN WINCEK, ACTING DIRECTOR
SUBJECT: ORDINANCE REQUEST
DATE: 4/22/2016

I am submitting a request for an exhibit for an ordinance to appropriate a \$3366 donation from the Commonwealth of Pennsylvania. The money is to be used for expenses related to travel expenses and mileage. This was unanticipated funding received from grants.

| Account name | Account number | Amount |
|---------------------------|-------------------|---------|
| Revenue: | | |
| Grant Revenue | 054-017100-051300 | * |
| Expense: | | |
| Main—Travel Work Required | 054-017100-002010 | \$900 |
| Main – Training | 054-017100-002040 | \$2,466 |

Thank you for your help. Please let me know if you need any additional information in this matter

*Denotes new line item.

ORDINANCE NUMBER , 2016

**2016 Children & Youth Services Fund Budget Revised Revenue & Expenditures Of
\$45,000 And Creation Of Expense Line Item For Non-Federally Funded Adoptions**

BE IT ENACTED by the County Council of the County of Erie pursuant to Article II, Sections 3B(1), 3B(2)(b) of the Erie County Home Rule Charter; that \$45,000 in revised expenditures and a new a line item created in the 2016 Children & Youth Services Fund Budget for non-federally funded adoptions, are hereby approved as outlined on the attached Exhibit A.

This ordinance shall be effective immediately upon adoption.

COUNTY COUNCIL OF THE
COUNTY OF ERIE, PENNSYLVANIA

Attest:

Douglas R. Smith
County Clerk

André R. Horton, Chairman

Date:_____

Jay Breneman, Vice Chairman

Edward T. DiMattio, Jr.

Approved by:

Kathy Fatica

Kathy Dahlkemper,
County Executive

Dr. Kyle Foust

Date:_____

Fiore Leone

Carol J. Loll

| |
|---|
| Exhibit A 2016 Children and Youth Services Fund Budget Revised Expenditures of \$45,000 For the Creation of Expense Line Item Due to Court Ordered Adoptions |
|---|

| <u>Account Title</u> | <u>Account Number</u> | <u>Amount</u> |
|---------------------------------|-----------------------|-----------------|
| <u>Total Expenditures</u> | | |
| Adoption Subsidies State/County | 046-099000-002772* | 45,000 |
| Adoption Subsidies | 046-099000-002770 | (45,000) |
| Total Expenditures | | <u><u>0</u></u> |

* Denotes creation of a new line item

To: Kathy Dahlkemper, County Executive
County Council Members

From: Lana Rees/Patrick Ryan

Date: April 25, 2016

Subject: Rationale for Creation of Budget Lines

The attached Exhibit A reflects a line item creation to the 2016 Children and Youth Fund budget.

This line item is needed to be created in order that we can track adoption subsidies that are not eligible for Federal reimbursement but are for State and County reimbursement. Budget transfers will be used to transfer funds for these newly created line items.

There is **0.00** increase or decrease in County funds projected at this time.

If you have any questions, please contact me at your convenience.

ORDINANCE NUMBER , 2016

**Erie County Department of Health Body Art Establishment Regulations,
Amending Ordinance 152, 2008**

BE IT ENACTED by the County Council of the County of Erie pursuant to Article II, Sections 1C(1) and 3B(2)(f) of the Erie County Home Rule Charter and 16 PA Consolidated Stat. §12001 et seq. that these "Erie County Department of Health Body Art Establishment Regulations", which are an amendment to Ordinance Number 152, 2008, are hereby approved as outlined on the attached Exhibit A.

This ordinance shall be effective immediately upon adoption.

COUNTY COUNCIL OF THE
COUNTY OF ERIE, PENNSYLVANIA

Attest:

Douglas R. Smith
County Clerk

André R. Horton, Chairman

Date: _____

Jay Breneman, Vice Chairman

Edward T. DiMattio, Jr.

Approved by:

Kathy Fatica

Kathy Dahlkemper,
County Executive

Dr. Kyle Foust

Date: _____

Fiore Leone

Carol J. Loll

ORDINANCE NUMBER 152, 2008

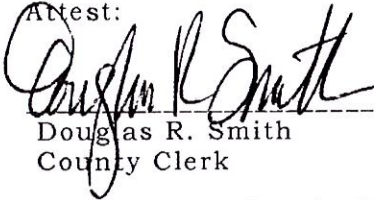
**Amending Ordinance 126, 2006, "Department of Public
Health Establishment of License Fee and Regulation of
Body Art Establishments"**

BE IT ENACTED by the County Council of the County of Erie pursuant to Article II, Sections 1C (1) and 3B (2) (e) of the Erie County Home Rule Charter and 16 PA Stat. ss.12001 et seq. that this amendment to Ordinance Number 126, 2006 "Department of Public Health Establishment of License Fee and Regulation of Body Art Establishments" is hereby approved as outlined on the attached Exhibit A.

This ordinance shall be effective immediately upon adoption.

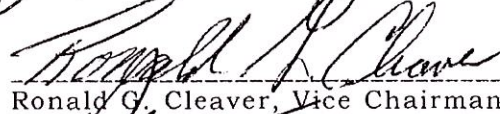
COUNTY COUNCIL OF THE
COUNTY OF ERIE, PENNSYLVANIA

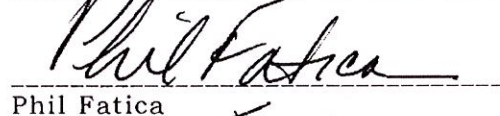
Attest:

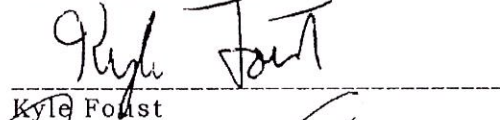

Douglas R. Smith
County Clerk

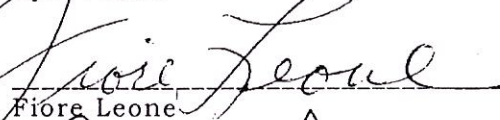
Date: September 2, 2008


Joseph F. Giles, Chairman


Ronald G. Cleaver, Vice Chairman


Phil Fatica

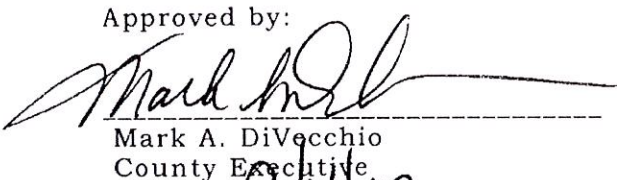

Kyle Foust


Fiore Leone


Carol J. Loll


David E. Mitchell

Approved by:


Mark A. DiVecchio
County Executive

Date: 9/4/08

ERIE COUNTY DEPARTMENT OF HEALTH

ecdh.org



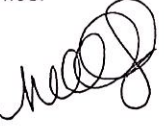
Melissa C. Lyon, MPH
Director

Kathy Dahlkemper
County Executive

Date: April 18, 2016

TO: James Sparber, Director
Erie County Finance Department

CC: Kathy Dahlkemper, County Executive
Gary Lee, Director of Administration
Sue Ellen Pasquale, Manager of Finance
Jennifer Ertl, Accounting Specialist
Karen Tobin, Director, Environmental Health
Chelsey Ricketts, ECDH Fiscal Officer

FROM: Melissa C. Lyon, MPH, Director
Erie County Department of Health 

RE: Request for Ordinance for Revisions to Erie County Department of Health Body Art Establishment Regulations

Ordinance Number 152, 2008 established the current Erie County Department of Health's Regulations Governing Operation and Conduct of Body Art Establishments. Due to changes in the industry, the Department determined that it is necessary to make revisions to the existing regulations. We are requesting approval of the attachment: Erie County Department of Health Body Art Establishment Regulations.

Thank you for your support and assistance. If you have any questions, please contact me at ext. 6701.

ERIE COUNTY DEPARTMENT OF HEALTH

BODY ART ESTABLISHMENT

Name of document
changed from
“Regulations
Governing Operation
and Conduct of Body
Art Establishments”

REGULATIONS

New, 2008
regulations
did not
include
listing of
contents.

1. Legal Authority
2. Scope
3. Definitions
4. License
5. Tattoo/Body Piercing Artist
6. Facility Requirements
7. Equipment
8. Customer Education
9. Consent and Prohibitions
10. Exemptions
11. Waste Disposal
12. Records
13. Penalties
14. Severability

Sections 1 and 2 have both been added to this document, absent from 2008 regulations.

1. **Legal Authority**

The following regulations are adopted under the provisions of the "Local Health Administration Law", Act 315, approved August 24, 1951, P.L. 1304, 16 P.S. §12001 *et seq.*

2. **Scope**

These regulations establish definitions and set standards for body art establishments in Erie County, Pennsylvania, and are created to promote and protect public health.

3. **Definitions**

New definitions denoted with an asterisk, modified definitions are underlined.

*Aftercare – Verbal and written instructions given to the customer, specific to the body art procedure(s) performed, on caring for the body art and the surrounding area.

*Antiseptic – Of, relating to, or denoting substances that prevent the growth of disease causing microorganisms.

Body Art – The practice of physical body adornment including the following techniques: body piercing, permanent cosmetics, and tattooing. Also includes body art procedures including subdermal implants, suspension, scarification, and tongue splitting.

Body Art Establishment – Any room or space where body art is practiced or conducted.

Body Piercing – The process of puncturing or penetrating the skin or mucous membrane for the purpose of insertion of any object.

Department – The Erie County Department of Health.

Equipment – All machinery, including fixtures, containers, vessels, tools, devices, implements, furniture, display and storage areas, sinks and all other apparatus and appurtenances used in conjunction with the operation of a body art establishment.

*Handwashing Sink – A sink equipped with hot and cold running water under pressure, used solely for washing hands and arms.

Hot Water – Water which is at a temperature of not less than 100°F.

Infectious Waste – Waste generated in the treatment or service of a human which falls under one or more of the following categories:

(1) Pathological Waste – Human pathological wastes, including tissues that are removed during medical procedures. The term does not include hair, nails, or extracted teeth.

(2) Human blood and body fluid waste including liquid waste, human blood, blood products, items contaminated with blood or dried human blood.

- (3) Used Sharps – Needles, scalpel blades, suture needles, broken or unbroken glass or plastic ware, disposable razors, and other sharp objects that have cut or pierced the skin or have been in contact with infectious agents.

Municipal Waste – Garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semisolid or contained gaseous material resulting from operation of residential, municipal, commercial, or institutional establishments and from community activities.

*Permanent Cosmetics – The implanting of inert pigments, colors or dyes intra-dermally which results in permanent alteration of tissues to gain a cosmetic effect.

*Premises – The physical facility, its contents, and the contiguous land or property under the control of the licensee that may impact the body art establishment personnel, facilities, or operations.

*Scarification – Scratching, etching, burning/branding, or superficially cutting designs, pictures or words into the skin as a permanent body modification.

Sterilization – The process by which all forms of microbial life, including bacteria, viruses, and spores, are destroyed by physical or chemical means.

*Subdermal Implant – An object that is entirely placed underneath the skin, therefore allowing the body to heal over the implant and creating a raised design.

*Suspension – The act of suspending a human body from hooks that have been put through body piercings. These piercings are temporary and are performed just prior to the actual suspension.

Tattoo – The indelible mark, figure or decorative design introduced by insertion of nontoxic pigments into or under the skin of a human being.

*Tattoo/Body Piercing Artist – The person who actually performs the work of body art.

Tattooing – The process of placing nontoxic pigment into or under the skin or mucosa by the aid of needles or any other instrument which results in an indelible mark.

Temporary Body Art Establishment – A body art establishment that operates at a fixed location in conjunction with a single event or celebration.

*Tongue Splitting – A type of body modification in which the tongue is cut centrally from its tip to as far back as the underside base, forking the end.

4. License

This section is new; requirement of application was not in 2008 regulations.

(a) Application and Plan Submission

Any person desiring to operate a body art establishment in Erie County shall make written application for a License on forms provided by the Department. Such application shall be submitted prior to any construction, remodeling, change of ownership or operation of a body art establishment.

(b) General Requirements

Revised, Sections 4(b)1-6 were prev. section 2

1. No person shall operate a body art establishment in Erie County without a valid License issued by the Department.
2. Licenses are not transferable.
3. Licenses must be renewed annually and are valid for one year after date of issuance.
4. Licenses must be posted in a location in the body art establishment that is conspicuous to customers and the Department.
5. A License shall not be issued or renewed unless the establishment is found to be in compliance with all requirements of these regulations and all applicable fees are paid.
6. The Department shall be allowed access for inspection to determine compliance with these regulations during the establishment's hours of operation.
7. Immediately discontinue operations and contact the Department if an imminent health hazard exists such as fire, flood, extended interruption of water service, sewage backup, gross unsanitary condition, or other circumstance that may endanger public health.
8. The Department is to be notified when an establishment goes out of business.

New 4(b) 7 & 8

(c) Temporary License

This section is new; specific information regarding temporary licensing was not in 2008 regulations.

1. Any person desiring to operate a body art establishment in Erie County at a temporary event such as a fair or festival shall make written application for a Temporary License on forms provided by the Department. Such application shall be submitted prior to the event and prior to operation.
2. The establishment must be in compliance with the Department's Guidelines for Temporary Body Art Establishments and all applicable fees shall be paid before a Temporary License is issued.

5. Tattoo /Body Piercing Artist

(a) General Requirements

Revised, prev.
Section 3

1. No person with boils, infected wounds, open sores, acute respiratory infection or other communicable disease or condition, nausea, vomiting, or diarrhea shall work in any area of a body art establishment where there is likelihood of contaminating equipment, supplies or work surfaces.

New

2. Artists shall not eat, drink, or use any form of tobacco in any area where contamination of equipment and supplies could occur.

Revised, prev.
Section 7

3. Artists shall not perform any body art if they are impaired by drugs or alcohol.

Revised, prev.
Section 6(g)(1)

4. Body art procedures shall be performed only on a healthy skin surface. No body art shall be performed on skin surfaces which have any rash, pimples, boils, infections or any other evidence of an unhealthy condition.

Revised, prev.
Section 3

5. Prior to starting each procedure or handling equipment, artists must thoroughly wash their hands, forearms and nails using soap and warm running water. Hands must be dried with a disposable paper towel.
6. Disposable gloves shall be worn for any procedure involving contact with a customer's skin, hair, or other body tissue. When sessions are interrupted or immediately after gloves are torn, gloves shall be removed and discarded and hands shall be washed and a fresh pair of gloves used.

Revised, prev.
Section 6(f)

7. All soaps, inks, dyes, pigments, ointments, and other products shall be dispensed and applied using an aseptic technique and in a manner to prevent contamination of the original container and its contents. Applicators shall be single use.

Revised, prev.
Section 6(g)

8. If the skin is to be shaved, it must first be washed with soap and water. Single use disposable safety razors for each patron shall be used for preparation of the area to be tattooed. After shaving, the area shall be prepared by washing with soap and water or by wiping with an alcohol solution.

Revised, prev.
Section 6(h)

9. After completing tattoo work on any person, the area shall be washed with a clean, absorbent disposable material saturated with an approved antiseptic solution. The area shall be allowed to air dry and a cream or lotion is to be applied using clean, absorbent disposable material. A dressing shall then be affixed over the area.

New

10. Prior to a procedure, the area of the customer's body to be pierced shall be thoroughly cleaned, then prepared with an antiseptic solution that is applied with a clean, absorbent disposable material. In the case of oral piercings, the patron shall be provided with alcohol-free antiseptic mouthwash in a single use cup and shall ensure that the customer utilizes the mouthwash provided to thoroughly rinse the affected area. In the case of a lip, labret, or cheek piercing, procedures described in this paragraph for both skin and oral piercings shall be followed.

Training

Revised, prev.
Section 4(5)

1. No person shall practice body art within Erie County without first providing documentation to the Department that they have attended a bloodborne pathogen course approved by the Department within the current year.
2. Bloodborne pathogen course certificates must be posted in a location in the body art establishment that is conspicuous to customers and the Department.

6. Facility Requirements

Sections 6
(a) and (b)
have both
been added
to this
document,
absent from
2008
regulations.

(a) Water Supply

All water supplied to a body art establishment shall be from a source approved by the Department. An adequate quantity of water shall be provided for operations.

(b) Sewage

All sewage shall be disposed through a system that is approved by the Department.

(c) Physical Facilities

Revised
Sections 6
(c) 1 and
3; prev.
Section 5

1. All body art establishments shall be separated from any room used for human habitation, a food establishment, or other such activity which may cause potential contamination of work surfaces.

2. Floors, walls, and ceilings in work areas and restrooms shall be smooth, durable, easy to clean and kept clean and in good repair.

3. Restrooms shall be adequate, conveniently located, and available during working hours for all persons working in the establishment and shall comply with applicable ordinances, codes, and regulations. Restrooms shall be supplied with hot and cold running water, soap, disposable paper towels, and a covered waste receptacle.

4. Adequate lighting shall be provided in the areas where body art is performed.

5. Adequate ventilation shall be provided.

6. Effective measures shall be taken to protect against the entrance and breeding or presence of insects and rodents.

7. No live animals shall be kept or allowed in any room where body art is performed except service animals.

Sections 6 (c)
2, 4-7 have
been added to
this
document,
absent from
2008
regulations.

(d) Handwashing Sink

Revised
Section 6
(d); prev.
Section 5

1. A handwashing sink with hot and cold running water shall be located in the area where body art is performed and shall be for the exclusive use of the artist for handwashing and preparing the customer. This sink must not be used for dumping of waste or cleaning of equipment.
 - a. This sink must be in addition to a restroom handwashing sink.
 - b. Existing facilities without a separate handwashing sink shall be required to install one at the time of any remodeling or change of ownership.
2. The handwashing sink must be provided with soap, disposable paper towels, and water at a temperature of at least 100 °F through a mixing valve or combination faucet.

7. **Equipment**

New, Section
7 is
encompasses
and enhances
prev. Section
6 (a-f, h)

(a) General Requirements

Revised,
prev. 6(f)

1. An area located away from work stations and areas frequented by the public is to be provided for the cleaning and/or sterilization of equipment. A sink with hot and cold running water must be provided.
2. All tables and other equipment shall be constructed of material that is smooth, nonabsorbent, and easily cleanable.
3. All inks and pigments used in tattooing shall be nontoxic, free from adulteration, from a safe source and used in accordance with the manufacturer's directions.

(b) Sterilization Process

1. All non-disposable instruments or equipment used for body art procedures including bars, grips, and tubes, shall be thoroughly cleaned and sterilized after each use on any patron in the following manner:
 - a. Soaked to remove all gross debris
 - b. Rinsed and patted dry
 - c. Disassembled or placed in the open position, if hinged
 - d. Visually inspected to verify that they are clean and to identify any damage, including but not limited to, bends, cracks or pits, that would impair the sterilization process

- e. Thoroughly cleaned in warm water and an appropriate detergent capable of breaking down blood, ink, dyes, pigments and other contaminants
 - f. Placed in an ultrasonic cleaning unit filled with an appropriate solution specified in the manufacturer's instructions
 - g. Rinsed and air dried
 - h. Individually packed in sterilization pouches. Each pouch or its indicator shall be labeled with an expiration date not to exceed one (1) year.
 - i. Sterilized in an autoclave
2. All ultrasonic cleaning units and autoclaves shall be used, cleaned and maintained in accordance with the manufacturer's current instructions. The autoclave shall be maintained in proper working condition and records of any maintenance performed shall be kept for at least two years.
 3. If the body art establishment uses all single-use, disposable instruments and products, an autoclave shall not be required. All single-use, disposable tattooing and piercing instruments must be obtained pre-sterilized by the manufacturer. If packaging is opened, damaged, or past the expiration date, item must be discarded or sterilized as explained in section 7(b)1.

(c) Monitoring Sterilization

1. To ensure proper temperature for sterilization has occurred, temperature sensitive autoclave tape or autoclave bags with a chemical color indicator on the bag must be included every time the autoclave is used.
2. In addition, once a month a biological indicator/spore test must be included at the center of a load to confirm that the autoclave is providing sterilization.

(d) Storage

1. After sterilization, all equipment and instruments used for body art shall remain in the sterilization pouch, handled with newly gloved hands and stored in a clean, dry, closed cabinet, drawer, or other container reserved for such instruments or equipment.
2. Single-use, disposable instruments and products must also be stored in a clean, dry, closed cabinet, drawer or other container reserved for such instruments or equipment.

New

(e) Jewelry

1. Jewelry which has not been sterilized by the manufacturer and maintained in an individual factory sealed package or container is to be cleaned and sterilized following the procedures in 7(b)1 above.
2. Only sterilized jewelry made of ASTM F136 compliant titanium or ASTM F138 compliant steel, solid 14 karat or 18 karat white, rose or yellow gold, niobium, or platinum, shall be placed in a new piercing. Mill certificates for jewelry shall be maintained at the body art establishment.
3. Substandard jewelry such as that which is damaged, scratched, not expressly designed for body piercing, jewelry made of silver, gold plated or filled or other corrosive metal or threaded jewelry sixteen (16) gauge or thicker with external threads shall not be used for initial piercing.
4. The body piercing operator will direct the customer to ensure that appropriate jewelry material, sizes and styles for the piercing are selected.

8. **Customer Education**

New

- (a) Before performing any body art, each customer shall be informed about the possible risks associated with the tattoo or piercing requested.
- (b) Prior to performing any body art, the artist shall inquire of a patron if they have conditions which could affect the healing process.

Revised, prev.
Section 7

- (c) Verbal and written instructions for the care of the tattooed or pierced site shall be provided to each customer after completion of the procedure. The aftercare instructions for body piercing shall be appropriate for the area being pierced. These instructions shall include, but not be limited to, information about physical restrictions, wound care, signs and symptoms of infection, and when to seek medical treatment, if necessary. Aftercare instructions shall also include the name, address and phone number of the establishment and shall be made available to the Department upon request.
- (d) Artists must direct customers to consult a physician for any medical conditions that cannot be resolved by the establishment.

9. **Consent and Prohibitions**

Revised, prev.
Section 7

- (a) It shall be unlawful for any person to perform body art on any person under 18 years of age without the presence, written consent and proper identification of the person's parent or legal guardian.

Revised, prev.
Section 7

(b) It is prohibited to perform body art on a customer who is under the influence of alcohol or drugs.

New

(c) It is prohibited to perform body art procedures resulting in subdermal implants, suspension or scarification without a plan approved by Erie County Department of Health.

a. The plan shall include demonstration of compliance with these regulations; information regarding the risk and complications that may be associated with this procedure; and actions that would be taken to prevent or minimize risks to the health and safety of the client and the body artist.

(d) It is prohibited to perform tongue splitting on another person unless the tongue splitting is performed by a physician or dentist licensed in this Commonwealth.

10. Exemptions

Revised, prev.
Section 8

(a) Individuals who pierce only the lobe of the ear using a pre-sterilized, single-use stud and clasp ear piercing system (gun) are exempt from the requirements of these regulations.

(b) Medical practitioners licensed by the Commonwealth of Pennsylvania, and their employees who utilize tattooing or body piercing procedures as part of patient treatment are exempt from these regulations.

11. Waste Disposal

(a) Municipal waste shall be kept stored in tightly covered waste containers. All waste containers shall be cleanable and kept clean. All waste materials are to be removed from the premises at least weekly and disposed of at an approved location

(b) Infectious waste such as used bandages, gauze, gloves or other disposable items which are or may be contaminated with blood or dried blood are to be placed in a closable, puncture-resistant, container specifically designed for that purpose which is leak-proof on the sides and bottom and labeled or color coded to identify the contents as a biohazard. These containers shall be transported and processed by an infectious waste transporter and disposed of at a site approved by the PA Department of Environmental Protection.

(c) Needles or any other sharp objects which may have come into contact with blood or blood products are to be placed in a closable, puncture-resistant, container specifically designed for that purpose which is leak-proof on the sides and bottom and labeled or color coded to identify the contents as a biohazard. These containers are to be transported and processed by an infectious waste transporter and disposed of at a site approved by the PA Department of Environmental Protection.

12. Records

New

(a) Bloodborne Pathogen Course Certificates

Copies of bloodborne pathogen course certificates for every artist must be kept on file for at least two years.

(b) Biological Indicator/Spore Tests

Documentation of autoclave performance shall be maintained for at least two years and shall include date and time the sterilizer load was run, name of the person operating the unit, results of sterilization and results of the biological indicator/spore test.

(c) Consent forms

A record of each body art procedure shall be maintained for each customer. The records shall include name, signature, age, address and telephone number of customer; name, address and telephone number of parent or guardian, when required; description or photo of tattoo/piercing and location; date performed; and artist's name. Records shall be kept for at least two years.

(d) Infectious waste disposal

Records from infectious waste transporters shall be kept for at least two years.

(e) Availability

All records shall be made available to the Department upon request.

13. Penalties

Revised,
Section 13
&14, prev.
Sections 9-11

(a) Summary Offenses

Any person who violates any of the provisions of these regulations of the Erie County Department of Health, or who interferes with the Health Director or any other agent of the Erie County Department of Health in the discharge of his official duties, shall, for the first offense, upon conviction thereof in a summary proceeding before a Magisterial District Justice of Erie County wherein said offense was committed, be sentenced to pay the costs of prosecution and a fine of not less than one hundred dollars (\$100) nor more than three hundred dollars (\$300), and in default thereof, to undergo imprisonment of not less than ten (10) days nor more than thirty (30) days.

(b) Misdemeanors

Any person who violates any of the provisions of these regulations of the Erie County Department of Health, or who interferes with the Health Director or any other agent of the Erie County Department of Health in the discharge of his official duties, convicted of a second or subsequent offense, shall be guilty of a misdemeanor and shall, upon conviction thereof, be sentenced to pay a fine of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000) or to undergo imprisonment not exceeding one (1) year, or both.

(c) Separate Offenses

Violations on separate days shall be considered separate offenses.

(d) Injunctions

The Erie County Department of Health may seek to enjoin violations of these rules and regulations or may proceed in any court of law or equity to obtain any additional cumulative remedies to abate any violation under these rules and regulations. Nothing in these rules and regulations shall in any way alter rights or action or remedies now or hereafter existing in equity, or under the common law or statutory law, criminal or civil.

14. Severability

If any section, sub-section, paragraph, clause, or provision of these regulations shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of these regulations as a whole or any part thereof. It is hereby declared to be the intention of the Erie County Department of Health, the Erie County Board of Health, and the Erie County Council that the remainder of the regulations would have been enacted if such invalid section had not been enacted and that it is their intent, intention and desire that the remaining portion of the regulations remain in effect.



**ERIE COUNTY
DEPARTMENT OF HEALTH**

**REGULATIONS GOVERNING OPERATION AND
CONDUCT OF BODY ART ESTABLISHMENTS**

July 2008

1. Definitions

- (a) Body Art – The practice of physical body adornment utilizing the following techniques: body piercing, tattooing, strike branding and cosmetic tattooing.
- (b) Body Piercing – The process of penetrating the skin or mucous membrane for the purpose of insertion of any object, including but not limited to jewelry for cosmetic purposes. The piercing of ears shall be excluded from the requirements of this ordinance.
- (c) Body Art Establishment – Any room or space where body piercing tattooing or cosmetic tattooing is practiced or conducted, including temporary body art establishments.
- (d) Body Art Operator – Any person who actually performs the work of body art.
- (e) Cosmetic Tattooing – The application of permanent makeup by micropigmentation including, but not limited to, eyeliner, lipliner, lipstick, and eyebrow enhancement.
- (f) Department – The Erie County Department of Health, the Director of the said Department, or any authorized representative thereof.
- (g) Equipment – All machinery, including fixtures, containers, vessels, tools, implements, furniture, display and storage areas, sinks, and other apparatus used in connection with tattooing and piercing operations.
- (h) Establishment – Any place or premise, whether public or private, where any person conducts any enterprise, occupation, vocation or business, whether or not for profit and whether temporarily or permanently located.
- (i) Facility Manager – Any person who controls, operates, conducts or manages any body art establishment, whether actually performing body art or not.
- (j) Hot Water – Water which is at a temperature of not less than 110°F nor greater than 125°F.
- (k) Infection – The entry and multiplication of any pathogen in the body of a human or animal.
- (l) Infectious Disease – A disease of humans or animals resulting from a transmissible infection, whether or not patent, apparent, inapparent, latent, clinical or subclinical.

- (m) Infectious Waste – Waste generated in the treatment or service of a human which falls under one or more of the following categories:
- (1) Pathological wastes – Human pathological wastes, including tissues that are removed during medical procedures. The term does not include hair, nails or extracted teeth.
 - (2) Human blood and body fluid waste including liquid waste, human blood, blood products, items contaminated with blood or dried human blood.
 - (3) Used Sharps – Needles, scalpel blades, suture needles, broken or unbroken glass or plasticware, disposable razors, scalpel blades, and other sharp objects that have cut or pierced the skin or have been in contact with infectious agents.
- (n) Municipal Waste – Garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semisolid or contained gaseous material resulting from operation of residential, municipal, commercial or institutional establishments and from community activities.
- (o) Sterilization – Process of destruction of all forms of life by physical or chemical means.
- (p) Strike Branding – Applying strips of heated stainless steel to the skin to create a permanent scar in a designated pattern.
- (q) Tattoo – The indelible mark, figure or decorative design introduced by insertion of nontoxic dyes or pigments into or under the subcutaneous portion of the skin of a human being.
- (r) Tattooing – The process by which the skin is marked or colored by insertion of nontoxic dyes or pigments into or under the subcutaneous portion of the skin so as to form indelible marks for cosmetic, medical or figurative purposes.
- (s) Temporary Body Art Establishments – A body art establishment that operates at a fixed location in conjunction with a single event or celebration.

2. Body Art Establishment Certificate of Registration

- (a) No person, firm, partnership, joint venture, association, business trust, corporation or any organized group of persons may operate a body art establishment unless it has received a body art establishment certificate of registration from the Department.
- (b) Any person operating a body art establishment shall obtain a certificate of registration from the Department annually.

- (c) The applicant shall pay per the fee schedule approved by the Department for each body art establishment certificate.
- (d) A certificate for a body art establishment shall not be transferable from one place or person to another.
- (e) A certificate shall automatically expire on December 31st of each year unless renewed by the Department upon the request of the licensee and payment of the fee.
- (f) A current body art establishment certificate of registration shall be posted in a prominent and conspicuous area where it may be readily observed by patrons.

3. Body Art Operator Requirements

No person shall practice body art within the County of Erie without first providing documentation to the Department that they have attended a bloodborne pathogen course approved by the Department.

No person affected with any boils, infected wounds, open sores, acute respiratory infection or other communicable disease or condition, nausea, vomiting, diarrhea shall work in any area of a body art establishment in any capacity in which there is a likelihood of contaminating tattoo or body piercing equipment, supplies or work surfaces.

Prior to starting each body art procedure or handling the supplies for the procedure, the operator is to wash their hands, forearms and nails thoroughly with an antiseptic liquid soap or its equivalent. The operator's hands and forearms shall be dried with individual, single-use towels. Disposable single service surgical gloves shall be worn for any procedure involving contact with a customer's skin, hair, or other body tissue. If the operator or client is allergic to latex, they should use powderless or hypoallergenic gloves. Protective gloves shall be disposed of and hands shall be thoroughly washed after the procedure has been completed.

4. Criteria for Operating a Facility

Each facility manager shall:

- (1) Post the valid body art establishment certificate of registration.
- (2) Comply with all the requirements of this regulation.
- (3) Allow the Department representative to inspect the facility when it is open for business.
- (4) Notify the Department in writing by mail or in person within 5 calendar days of closure of the facility. If the same owner reopens the facility while the license is still current, the facility operator is to inform the Department prior to resuming business.

- (5) Require that all body art operators in his employ receive bloodborne pathogen training that meets the requirements of the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA) Occupational Exposure to Bloodborne Pathogen Standard, 29 CFR 1910.1030, including OSHA instruction CPL 2-2.44C, or later editions.

5. Facility Requirements

All body art establishments shall be completely separated from any room used for human habitation, a food establishment or room where food is prepared, retail sales, or other such activity which may cause potential contamination of work surfaces.

Toilet and lavatory facilities shall be adequate, conveniently located and available during working hours for all persons working in the establishment.

A hand wash sink with hot and cold running water shall be conveniently accessible and shall be for the use of the body art practitioner for hand washing and preparing the customer. The sink shall be equipped with approved germicidal soap solution provided by means of a pump dispenser, and individual disposable or autoclavable hand brushes and fingernail files for each operator. C-fold paper or other approved individual hand wiping towels are to be available at all times for operator use.

Hair particles, paper, tissues, cottons, and other waste materials shall be kept stored in tightly covered waste containers. Refuse containers in areas where services are provided to patrons shall be emptied and cleaned at least daily. All refuse containers shall be cleanable and kept clean. All waste materials are to be removed from the premises at least weekly.

Used bandages, gauze, gloves or other disposable items which are or may be contaminated with blood or dried blood are to be placed in closable, leak-proof color-coded or labeled containers built to contain all contents during handling, storing, transporting, or shipping. These containers are to be sterilized in an autoclave prior to disposal or transported and processed by an infectious waste transporter and disposal site approved by the PA Department of Environmental Protection. Where on-site autoclaving is utilized, autoclavable plastic bags are to be used for containerization of the waste.

Needles or any other sharp objects which may have come into contact with blood or blood products are to be placed in a closable, puncture-resistant, container specifically designed for that purpose which is leak-proof on the sides and bottom and labeled or color coded to identify the contents as a biohazard. These containers are to be sterilized in an autoclave prior to disposal or transported and processed by an infectious waste transporter and disposal site approved by the PA Department of Environmental Protection.

6. Practices and Procedures for Body Art Establishments

Instrument Cleaning, Sterilization, Storage and Handling

(a) Cleaning and preparation of instruments for sterilization

After each tattooing operation, the tubes and needle bars shall be placed in an ultrasonic-type machine to remove any foreign material. A high quality detergent material which shall be changed daily and is suitable for an ultrasonic machine is to be used.

(b) Sterilization

Each body art establishment shall be equipped with an autoclave which is a design, style or model that has received clearance by the U.S. Food and Drug Administration for conformance with section 510 (k) of the Federal Food, Drug and Cosmetic Act.

After each use and before use on another customer, all needle bars, grips and tubes and needles shall be processed by the following procedure: cleaned, packaged in a self-sealing autoclave bag which is dated with an expiration date not to exceed six (6) months, and arranged in an autoclave which is operated in strict accordance with the manufacturer's recommendations. As the operation time of the autoclave may vary with the type of instrument, the packaging of that item and the arrangement of items in the autoclave, it is critical that the manufacturer's operation manual be followed. This will assure that each item placed in the autoclave achieves the proper temperature for sterilization. Temperature sensitive autoclave tape, autoclave bags with a chemical color indicator on the bag or any other temperature sensitive medium approved for autoclaves by the Department must be applied to each load every time the autoclave is used.

In addition to the above procedure, once a month a biological indicator (such as *Bacillus stearothermophilus*) must be included at the center of a package to confirm that the autoclave is providing sterilization. Documentation of autoclave performance shall be maintained as a record of the facility.

(c) Storage

Sterile instruments must be stored in a condition so as to maintain their sterility. All sterile and ready to use needles and instruments in their autoclaved bag or container, or in the manufacturer's original packaging shall be kept in an easily cleanable, dry enclosed glass, plastic or metal case, cabinet or drawer while not in use. Such enclosure shall be maintained in a sanitary manner at all times. Sterile instruments may not be used if the package has been breached or after the expiration date without first repackaging and resterilizing.

(d) Handling

The needles and instruments shall be used, handled, and temporarily placed during tattooing so that they are not contaminated.

(e) Cleaning of Other Instruments and Articles

Articles that do not penetrate the skin, but are used on customers, including containers used for the storage of items and the collection of dirty instruments, must be thoroughly cleaned before and after each use. Instruments which can be damaged by water, are to be thoroughly wiped with clean cotton wool or a cotton pad saturated with 70% isopropyl alcohol, allowed to air dry and stored in a clean, enclosed container or manner to prevent recontamination.

(f) Use of Dyes, Inks and Pigments

All dyes, inks and pigments shall be from a source of supply which complies with applicable U. S. Food and Drug Administration regulations when available. Dyes, inks and pigments are to be used in accordance with the manufacturer's directions and are not to be adulterated with any substance not recommended by the manufacturer.

Immediately before applying a tattoo, the quantity of dye, ink or pigment to be used for the tattoo shall be transferred from the supply bottles and placed into sterile, single-use paper cups or plastic caps. Upon completion of the tattoo, these single use cups or caps and their contents shall be discarded.

Excess dye, ink or pigment shall be removed from the skin with a single service wiping tissue or sterile gauze which shall be discarded after use on each customer. Enough wipes to be used on one customer should be kept in the working area and any not used should be immediately discarded.

(g) Inspection, Shaving and Preparation of The Skin

- (1) No body art shall be done on skin surfaces which have any rash, pimples, boils, infections or any other evidence of an unhealthy condition.
- (2) If the skin is to be shaved, it must first be washed with soap and warm water. Single use disposable safety razors for each patron shall be used for preparation of the areas to be tattooed.
- (3) After shaving, the area shall be prepared by washing with soap and warm water and gently scrubbed with a sterile gauze pad soaked in a germicidal preparation.
- (4) The use of styptic pencils, alum blocks or other solid styptic to check the flow of blood is prohibited.

(h) Concluding Procedure

After completing work on any person, the area shall be washed with a sterile gauze saturated with an approved antiseptic solution or a 70% alcohol solution. The area shall be allowed to air dry and an antibacterial cream or lotion from a single-use dispenser is to be applied using sterile gauze. A dressing shall then be affixed over the area using either a non-stick bandage (telfa) or a sterile gauze attached with adhesive tape. Where adhesive tape is used, the client is to be advised as to the procedure for its removal.

(i) Linens

If reusable cloth items are used in the care and treatment of the client, they shall be changed after each use. The used linens shall be placed in a closed or covered container and laundered on a weekly basis or more frequently depending upon storage capacity and degree of contamination of the linen. Used linens shall be laundered either by a commercial laundering or by a noncommercial laundering process. The laundered linens shall be stored in a clean, enclosed storage area until needed for immediate use.

7. Notifications and Prohibitions

Notifications

Verbal and written instructions for the care of the site shall be provided to each customer by the facility prior to the initiation of the procedure. The after care instructions for body piercing shall be appropriate for the area being pierced. The written instructions shall advise the customer to consult a physician at the first sign of infection and contain the name, address and phone number of the establishment. The after care instructions shall be made available to the Department upon request.

If a body art operator has reasonable cause to suspect that body art is being performed in Erie County by an unregistered establishment, they are encouraged to refer the incident to the Erie County Department of Health and provide any reasonable assistance or information.

The Department's guidelines for choosing a body art establishment are to be made available to all patrons prior to the beginning of any procedure (Appendix A).

Prohibitions

Tattooing, body piercing or strike branding on any body part of a person under the age of eighteen (18) is not to be performed without the written consent of the parent or legal guardian of such minor. This consent is to be given in person to the body art practitioner

or responsible person at the facility by the parent or legal guardian at the time the procedure is to commence. The operator is required to see photographic identification of the adult as well as confirm that the adult is the parent or legal guardian of the minor. The parent or guardian of a minor must be present during any tattooing or body piercing procedure on the minor as required in 18 Pa. C.S.A. 6311.

It is prohibited to perform any form of body art on a person who, in the opinion of the operator, is inebriated or appears to be under the influence of alcohol or drugs which alter cognitive function.

It is prohibited for an operator to perform any form of body art while under the influence of alcohol or drugs which would alter cognitive function.

8. Exemptions

Medical practitioners licensed by the Commonwealth of Pennsylvania who utilize tattooing or body piercing procedures as part of patient treatment are exempt from these regulations.

Individuals who pierce only ear lobes or the upper ear leading edge are exempt from these regulations.

9. Severability

If any provision or application of any provision of this regulation is held invalid, that invalidity shall not affect other provisions or applications of this regulation.

10. Suspension and Revocation of Certificate of Registration

A body art establishment certificate of registration may be suspended or revoked by the Erie County Department of Health upon the occurrence of any violations of this Ordinance.

A facility manager whose establishment certificate of registration is suspended or revoked may file a request for a hearing with the Department within 10 days of the suspension or revocation. The request shall be in writing.

11. Penalty

(a) Summary Offenses

Any person who violates any of the provisions of this regulation of the Erie County Department of Health, or who interferes with the Department in the discharge of its official duties, shall, for the first offense, upon conviction thereof in a summary proceeding before any magisterial district judge, be sentenced to pay the costs of prosecution and a fine of not less than thirty dollars (\$30) nor more than three hundred dollars (\$300), and, in default thereof, to undergo imprisonment of not less than ten (10) days nor more than thirty (30) days.

(b) Misdemeanors

Any person who violates any of the provisions of this regulation of the Erie County Department of Health, or who interferes with the Department in the discharge of its official duties, convicted of a second or subsequent offense, shall be guilty of a misdemeanor and shall, upon conviction thereof, be sentenced to pay a fine of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000), or to undergo imprisonment not exceeding one (1) year, or both.

ERIE COUNTY DEPARTMENT OF HEALTH

BODY ART ESTABLISHMENT

REGULATIONS

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1. **Legal Authority**

The following regulations are adopted under the provisions of the "Local Health Administration Law", Act 315, approved August 24, 1951, P.L. 1304, 16 P.S. §12001 *et seq.*

2. **Scope**

These regulations establish definitions and set standards for body art establishments in Erie County, Pennsylvania, and are created to promote and protect public health.

3. **Definitions**

Aftercare – Verbal and written instructions given to the customer, specific to the body art procedure(s) performed, on caring for the body art and the surrounding area.

Antiseptic – Of, relating to, or denoting substances that prevent the growth of disease causing microorganisms.

Body Art – The practice of physical body adornment including the following techniques: body piercing, permanent cosmetics, and tattooing. Also includes body art procedures including subdermal implants, suspension, scarification, and tongue splitting.

Body Art Establishment – Any room or space where body art is practiced or conducted.

Body Piercing – The process of puncturing or penetrating the skin or mucous membrane for the purpose of insertion of any object.

Department – The Erie County Department of Health.

Equipment – All machinery, including fixtures, containers, vessels, tools, devices, implements, furniture, display and storage areas, sinks and all other apparatus and appurtenances used in conjunction with the operation of a body art establishment.

Handwashing Sink – A sink equipped with hot and cold running water under pressure, used solely for washing hands and arms.

Hot Water – Water which is at a temperature of not less than 100°F.

Infectious Waste – Waste generated in the treatment or service of a human which falls under one or more of the following categories:

- (1) Pathological Waste – Human pathological wastes, including tissues that are removed during medical procedures. The term does not include hair, nails, or extracted teeth.
- (2) Human blood and body fluid waste including liquid waste, human blood, blood products, items contaminated with blood or dried human blood.

- (3) Used Sharps – Needles, scalpel blades, suture needles, broken or unbroken glass or plastic ware, disposable razors, and other sharp objects that have cut or pierced the skin or have been in contact with infectious agents.

Municipal Waste – Garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semisolid or contained gaseous material resulting from operation of residential, municipal, commercial, or institutional establishments and from community activities.

Permanent Cosmetics – The implanting of inert pigments, colors or dyes intra-dermally which results in permanent alteration of tissues to gain a cosmetic effect.

Premises – The physical facility, its contents, and the contiguous land or property under the control of the licensee that may impact the body art establishment personnel, facilities, or operations.

Scarification – Scratching, etching, burning/branding, or superficially cutting designs, pictures or words into the skin as a permanent body modification.

Sterilization – The process by which all forms of microbial life, including bacteria, viruses, and spores, are destroyed by physical or chemical means.

Subdermal Implant – An object that is entirely placed underneath the skin, therefore allowing the body to heal over the implant and creating a raised design.

Suspension – The act of suspending a human body from hooks that have been put through body piercings. These piercings are temporary and are performed just prior to the actual suspension.

Tattoo – The indelible mark, figure or decorative design introduced by insertion of nontoxic pigments into or under the skin of a human being.

Tattoo/Body Piercing Artist – The person who actually performs the work of body art.

Tattooing – The process of placing nontoxic pigment into or under the skin or mucosa by the aid of needles or any other instrument which results in an indelible mark.

Temporary Body Art Establishment – A body art establishment that operates at a fixed location in conjunction with a single event or celebration.

Tongue Splitting – A type of body modification in which the tongue is cut centrally from its tip to as far back as the underside base, forking the end.

4. **License**

(a) Application and Plan Submission

Any person desiring to operate a body art establishment in Erie County shall make written application for a License on forms provided by the Department. Such application shall be submitted prior to any construction, remodeling, change of ownership or operation of a body art establishment.

(b) General Requirements

1. No person shall operate a body art establishment in Erie County without a valid License issued by the Department.
2. Licenses are not transferable.
3. Licenses must be renewed annually and are valid for one year after date of issuance.
4. Licenses must be posted in a location in the body art establishment that is conspicuous to customers and the Department.
5. A License shall not be issued or renewed unless the establishment is found to be in compliance with all requirements of these regulations and all applicable fees are paid.
6. The Department shall be allowed access for inspection to determine compliance with these regulations during the establishment's hours of operation.
7. Immediately discontinue operations and contact the Department if an imminent health hazard exists such as fire, flood, extended interruption of water service, sewage backup, gross unsanitary condition, or other circumstance that may endanger public health.
8. The Department is to be notified when an establishment goes out of business.

(c) Temporary License

1. Any person desiring to operate a body art establishment in Erie County at a temporary event such as a fair or festival shall make written application for a Temporary License on forms provided by the Department. Such application shall be submitted prior to the event and prior to operation.
2. The establishment must be in compliance with the Department's Guidelines for Temporary Body Art Establishments and all applicable fees shall be paid before a Temporary License is issued.

5. **Tattoo /Body Piercing Artist**

(a) General Requirements

1. No person with boils, infected wounds, open sores, acute respiratory infection or other communicable disease or condition, nausea, vomiting, or diarrhea shall work in any area of a body art establishment where there is likelihood of contaminating equipment, supplies or work surfaces.
2. Artists shall not eat, drink, or use any form of tobacco in any area where contamination of equipment and supplies could occur.
3. Artists shall not perform any body art if they are impaired by drugs or alcohol.
4. Body art procedures shall be performed only on a healthy skin surface. No body art shall be performed on skin surfaces which have any rash, pimples, boils, infections or any other evidence of an unhealthy condition.
5. Prior to starting each procedure or handling equipment, artists must thoroughly wash their hands, forearms and nails using soap and warm running water. Hands must be dried with a disposable paper towel.
6. Disposable gloves shall be worn for any procedure involving contact with a customer's skin, hair, or other body tissue. When sessions are interrupted or immediately after gloves are torn, gloves shall be removed and discarded and hands shall be washed and a fresh pair of gloves used.
7. All soaps, inks, dyes, pigments, ointments, and other products shall be dispensed and applied using an aseptic technique and in a manner to prevent contamination of the original container and its contents. Applicators shall be single use.
8. If the skin is to be shaved, it must first be washed with soap and water. Single use disposable safety razors for each patron shall be used for preparation of the area to be tattooed. After shaving, the area shall be prepared by washing with soap and water or by wiping with an alcohol solution.
9. After completing tattoo work on any person, the area shall be washed with a clean, absorbent disposable material saturated with an approved antiseptic solution. The area shall be allowed to air dry and a cream or lotion is to be applied using clean, absorbent disposable material. A dressing shall then be affixed over the area.
10. Prior to a procedure, the area of the customer's body to be pierced shall be thoroughly cleaned, then prepared with an antiseptic solution that is applied with a clean, absorbent disposable material. In the case of oral piercings, the patron shall be provided with alcohol-free antiseptic mouthwash in a single use cup and shall ensure that the customer utilizes the mouthwash provided to thoroughly rinse the affected area. In the case of a lip, labret, or cheek piercing, procedures described in this paragraph for both skin and oral piercings shall be followed.

Training

1. No person shall practice body art within Erie County without first providing documentation to the Department that they have attended a bloodborne pathogen course approved by the Department within the current year.
2. Bloodborne pathogen course certificates must be posted in a location in the body art establishment that is conspicuous to customers and the Department.

6. Facility Requirements

(a) Water Supply

All water supplied to a body art establishment shall be from a source approved by the Department. An adequate quantity of water shall be provided for operations.

(b) Sewage

All sewage shall be disposed through a system that is approved by the Department.

(c) Physical Facilities

1. All body art establishments shall be separated from any room used for human habitation, a food establishment, or other such activity which may cause potential contamination of work surfaces.
2. Floors, walls, and ceilings in work areas and restrooms shall be smooth, durable, easy to clean and kept clean and in good repair.
3. Restrooms shall be adequate, conveniently located, and available during working hours for all persons working in the establishment and shall comply with applicable ordinances, codes, and regulations. Restrooms shall be supplied with hot and cold running water, soap, disposable paper towels, and a covered waste receptacle.
4. Adequate lighting shall be provided in the areas where body art is performed.
5. Adequate ventilation shall be provided.
6. Effective measures shall be taken to protect against the entrance and breeding or presence of insects and rodents.
7. No live animals shall be kept or allowed in any room where body art is performed except service animals.

(d) Handwashing Sink

1. A handwashing sink with hot and cold running water shall be located in the area where body art is performed and shall be for the exclusive use of the artist for handwashing and preparing the customer. This sink must not be used for dumping of waste or cleaning of equipment.
 - a. This sink must be in addition to a restroom handwashing sink.
 - b. Existing facilities without a separate handwashing sink shall be required to install one at the time of any remodeling or change of ownership.
2. The handwashing sink must be provided with soap, disposable paper towels, and water at a temperature of at least 100 °F through a mixing valve or combination faucet.

7. Equipment

(a) General Requirements

1. An area located away from work stations and areas frequented by the public is to be provided for the cleaning and/or sterilization of equipment. A sink with hot and cold running water must be provided.
2. All tables and other equipment shall be constructed of material that is smooth, nonabsorbent, and easily cleanable.
3. All inks and pigments used in tattooing shall be nontoxic, free from adulteration, from a safe source and used in accordance with the manufacturer's directions.

(b) Sterilization Process

1. All non-disposable instruments or equipment used for body art procedures including bars, grips, and tubes, shall be thoroughly cleaned and sterilized after each use on any patron in the following manner:
 - a. Soaked to remove all gross debris
 - b. Rinsed and patted dry
 - c. Disassembled or placed in the open position, if hinged
 - d. Visually inspected to verify that they are clean and to identify any damage, including but not limited to, bends, cracks or pits, that would impair the sterilization process

- e. Thoroughly cleaned in warm water and an appropriate detergent capable of breaking down blood, ink, dyes, pigments and other contaminants
 - f. Placed in an ultrasonic cleaning unit filled with an appropriate solution specified in the manufacturer's instructions
 - g. Rinsed and air dried
 - h. Individually packed in sterilization pouches. Each pouch or its indicator shall be labeled with an expiration date not to exceed one (1) year.
 - i. Sterilized in an autoclave
2. All ultrasonic cleaning units and autoclaves shall be used, cleaned and maintained in accordance with the manufacturer's current instructions. The autoclave shall be maintained in proper working condition and records of any maintenance performed shall be kept for at least two years.
 3. If the body art establishment uses all single-use, disposable instruments and products, an autoclave shall not be required. All single-use, disposable tattooing and piercing instruments must be obtained pre-sterilized by the manufacturer. If packaging is opened, damaged, or past the expiration date, item must be discarded or sterilized as explained in section 7(b)1.

(c) Monitoring Sterilization

1. To ensure proper temperature for sterilization has occurred, temperature sensitive autoclave tape or autoclave bags with a chemical color indicator on the bag must be included every time the autoclave is used.
2. In addition, once a month a biological indicator/spore test must be included at the center of a load to confirm that the autoclave is providing sterilization.

(d) Storage

1. After sterilization, all equipment and instruments used for body art shall remain in the sterilization pouch, handled with newly gloved hands and stored in a clean, dry, closed cabinet, drawer, or other container reserved for such instruments or equipment.
2. Single-use, disposable instruments and products must also be stored in a clean, dry, closed cabinet, drawer or other container reserved for such instruments or equipment.

(e) Jewelry

1. Jewelry which has not been sterilized by the manufacturer and maintained in an individual factory sealed package or container is to be cleaned and sterilized following the procedures in 7(b)1 above.
2. Only sterilized jewelry made of ASTM F136 compliant titanium or ASTM F138 compliant steel, solid 14 karat or 18 karat white, rose or yellow gold, niobium, or platinum, shall be placed in a new piercing. Mill certificates for jewelry shall be maintained at the body art establishment.
3. Substandard jewelry such as that which is damaged, scratched, not expressly designed for body piercing, jewelry made of silver, gold plated or filled or other corrosive metal or threaded jewelry sixteen (16) gauge or thicker with external threads shall not be used for initial piercing.
4. The body piercing operator will direct the customer to ensure that appropriate jewelry material, sizes and styles for the piercing are selected.

8. Customer Education

- (a) Before performing any body art, each customer shall be informed about the possible risks associated with the tattoo or piercing requested.
- (b) Prior to performing any body art, the artist shall inquire of a patron if they have conditions which could affect the healing process.
- (c) Verbal and written instructions for the care of the tattooed or pierced site shall be provided to each customer after completion of the procedure. The aftercare instructions for body piercing shall be appropriate for the area being pierced. These instructions shall include, but not be limited to, information about physical restrictions, wound care, signs and symptoms of infection, and when to seek medical treatment, if necessary. Aftercare instructions shall also include the name, address and phone number of the establishment and shall be made available to the Department upon request.
- (d) Artists must direct customers to consult a physician for any medical conditions that cannot be resolved by the establishment.

9. Consent and Prohibitions

- (a) It shall be unlawful for any person to perform body art on any person under 18 years of age without the presence, written consent and proper identification of the person's parent or legal guardian.

- (b) It is prohibited to perform body art on a customer who is under the influence of alcohol or drugs.
- (c) It is prohibited to perform body art procedures resulting in subdermal implants, suspension or scarification without a plan approved by Erie County Department of Health.
 - a. The plan shall include demonstration of compliance with these regulations; information regarding the risk and complications that may be associated with this procedure; and actions that would be taken to prevent or minimize risks to the health and safety of the client and the body artist.
- (d) It is prohibited to perform tongue splitting on another person unless the tongue splitting is performed by a physician or dentist licensed in this Commonwealth.

10. Exemptions

- (a) Individuals who pierce only the lobe of the ear using a pre-sterilized, single-use stud and clasp ear piercing system (gun) are exempt from the requirements of these regulations.
- (b) Medical practitioners licensed by the Commonwealth of Pennsylvania, and their employees who utilize tattooing or body piercing procedures as part of patient treatment are exempt from these regulations.

11. Waste Disposal

- (a) Municipal waste shall be kept stored in tightly covered waste containers. All waste containers shall be cleanable and kept clean. All waste materials are to be removed from the premises at least weekly and disposed of at an approved location
- (b) Infectious waste such as used bandages, gauze, gloves or other disposable items which are or may be contaminated with blood or dried blood are to be placed in a closable, puncture-resistant, container specifically designed for that purpose which is leak-proof on the sides and bottom and labeled or color coded to identify the contents as a biohazard. These containers shall be transported and processed by an infectious waste transporter and disposed of at a site approved by the PA Department of Environmental Protection.
- (c) Needles or any other sharp objects which may have come into contact with blood or blood products are to be placed in a closable, puncture-resistant, container specifically designed for that purpose which is leak-proof on the sides and bottom and labeled or color coded to identify the contents as a biohazard. These containers are to be transported and processed by an infectious waste transporter and disposed of at a site approved by the PA Department of Environmental Protection.

12. Records

(a) Bloodborne Pathogen Course Certificates

Copies of bloodborne pathogen course certificates for every artist must be kept on file for at least two years.

(b) Biological Indicator/Spore Tests

Documentation of autoclave performance shall be maintained for at least two years and shall include date and time the sterilizer load was run, name of the person operating the unit, results of sterilization and results of the biological indicator/spore test.

(c) Consent forms

A record of each body art procedure shall be maintained for each customer. The records shall include name, signature, age, address and telephone number of customer; name, address and telephone number of parent or guardian, when required; description or photo of tattoo/piercing and location; date performed; and artist's name. Records shall be kept for at least two years.

(d) Infectious waste disposal

Records from infectious waste transporters shall be kept for at least two years.

(e) Availability

All records shall be made available to the Department upon request.

13. Penalties

(a) Summary Offenses

Any person who violates any of the provisions of these regulations of the Erie County Department of Health, or who interferes with the Health Director or any other agent of the Erie County Department of Health in the discharge of his official duties, shall, for the first offense, upon conviction thereof in a summary proceeding before a Magisterial District Justice of Erie County wherein said offense was committed, be sentenced to pay the costs of prosecution and a fine of not less than one hundred dollars (\$100) nor more than three hundred dollars (\$300), and in default thereof, to undergo imprisonment of not less than ten (10) days nor more than thirty (30) days.

EXHIBIT A

(b) Misdemeanors

Any person who violates any of the provisions of these regulations of the Erie County Department of Health, or who interferes with the Health Director or any other agent of the Erie County Department of Health in the discharge of his official duties, convicted of a second or subsequent offense, shall be guilty of a misdemeanor and shall, upon conviction thereof, be sentenced to pay a fine of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000) or to undergo imprisonment not exceeding one (1) year, or both.

(c) Separate Offenses

Violations on separate days shall be considered separate offenses.

(d) Injunctions

The Erie County Department of Health may seek to enjoin violations of these rules and regulations or may proceed in any court of law or equity to obtain any additional cumulative remedies to abate any violation under these rules and regulations. Nothing in these rules and regulations shall in any way alter rights or action or remedies now or hereafter existing in equity, or under the common law or statutory law, criminal or civil.

14. Severability

If any section, sub-section, paragraph, clause, or provision of these regulations shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of these regulations as a whole or any part thereof. It is hereby declared to be the intention of the Erie County Department of Health, the Erie County Board of Health, and the Erie County Council that the remainder of the regulations would have been enacted if such invalid section had not been enacted and that it is their intent, intention and desire that the remaining portion of the regulations remain in effect.

Attached are the comments from 7 individuals received during our 30 day public comment period for revisions to our Body Art regulations. We removed all names so this attachment can be provided to Council member at the Finance meeting this Thursday. Thank you!

Please note: My email address has been changed to ktobin@eriecountypa.gov please update your contacts.

Karen M. Tobin REHS | Director, Environmental Health Services
Erie County Department of Health | Office: 814-451-6754 | Fax: 814-451-6775
606 W 2nd Street Erie, PA 16507



Public Health
Prevent. Promote. Protect.



March 7, 2016

Dear Ms. Adams and Ms. Tobin

As per our phone conversation, Ms. Tobin, Director of Environmental Health Services requested I submit in writing the details of our conversation.

After speaking with Ms. Tobin, I commend you for being proactive in protecting the general public from individuals who may be putting their customers in danger due to unethical or dangerous practices.

In the past, the Department of Health deemed me exempt from the tattoo artist and body modification category due to the nature and scope of my practice. I respectfully request that I remain exempt as long as it is remains in a medical office.

I am a Board Certified Technician by the AAM with 15 years' experience in paramedical and esthetic elective permanent makeup services; I hold a current Cosmetology and Aesthetician license with the PA Board of Cosmetology and am a Clinical Assistant to Plastic Surgeon, MD in his Erie PA office. I have no employees.

Any and all services that I provide are (termed clean and not sterile) conducted in the surgical space of a medical office. All rules and protocol of sanitation, sterilization and disposal of waste in a medical office are practiced. There is no need for an autoclave in my practice due to the fact I only use disposable pre sterilized tubes and needles direct from the factory. My used needles and tubes are disposed of in a sharps container.

My services are by appointment. I do not accept clients who walk in off of the street as tattoo shops do. I require a consultation prior to any service. The consultation consists of forms detailing the client's health, medications being taken, allergies, and in some cases letters of referral or recommendation of services by a health care provider. Client/patient risks and benefits are discussed at this time, informed consent, consent for services and model release forms are signed and kept in the clients file along with before and after photographs of the client and procedure notes. After care is given both verbally and on paper. The following day, I contact each client by phone to see how they are progressing. My private cell phone is listed on my business card should my clients have concerns or questions.

A great number of my clients are referrals by local physicians. I specialize and serve the medical community in many ways. For instance, the Erie VA referred a female patient to me for repigmenting of her areolas rather than have her drive to Cleveland. A local Dermatologist refers his patients who suffer from allergies to topical makeup to me for permanent eyeliner, to avoid reoccurring eye irritation. My services are as follows, nipple and areola medical tattooing following breast reconstruction, simulated reconstruction of eyebrows and eyelashes of cancer patients, burn patients, alopecia patients, and simulated lip line reconstruction after surgical cleft lip repair as well as those suffering from an unfortunate auto accident, Hashimoto's Disease, Parkinson's disease, and or partial/total loss of vision. Elective services include permanent eyebrows, eyeliner, and lip color.

It is my thought that professionals who work and or provide services in a medical office to patients/clients be exempt. Thank you for your consideration.

5

From:
Sent: Wednesday, March 09, 2016 9:45 AM
To: Adams, Breanna
Subject: comment on proposed body art regulations

I'd like to comment on the proposed regulations governing tattoo shops and body modifications.

I think that the health department should not be focused on this. No one in Erie County is even doing body modifications. If and when it becomes a problem, meaning it's causing health issues; then and only then should it be regulated.

This seems like a solution in search of a problem.

Don't we want our tattoo shops to grow? Don't we want to attract business here? With regulations that serve zero purpose other than to deter would be entrepreneurs it would seem our goals are misaligned.

Please don't go through with this plan.

Thank you.

From:
Sent: Friday, March 11, 2016 4:58 PM
To: Adams, Breanna
Cc:
Subject: Re: Draft Regulations

without these things in there it just seems like there is no need to have regulations at all because youre making it more appealing to tattoo outside of regulation than inside

On Fri, Mar 11, 2016 at 4:56 PM, _____ wrote:
we can also start penalizing the "at home tattoo artists" the same as we would at home dentistry or doctoring. these penalties need to be extreme and severe to discourage the idea that its ok to do this out of a professional shop.

On Fri, Mar 11, 2016 at 4:54 PM, _____ wrote:
I hope Im not the first one to point out that although these are all things we should be doing anyway, this does nothing to fix the problem of at home tattoo artists. those of us who are running/ in shops are going out of our way to work with the health board to make this job safer for the artists and the clients. We arent the ones who need fines and penalties... the first step towards making something safer is to regulate it right. right regulations should be an actual licence... one that reflects how long we have been tattooing and our skill level. say level 1, apprentice licence: first 2-3 years of experience must be under supervision of a rank 3 tattoo artist. level 2: journeyman tattoo artis 3-12 years, can move between shops no longer requires supervision cannot own/ operate a shop or teach. level 3: Master tattoo artist, beyond 12 years experience can teach or run/ own a shop. you dont have to be a master tattoo artist to own a shop but you must employ one...

On Wed, Mar 9, 2016 at 11:28 AM, Adams, Breanna <BAadams@eriecountypa.gov> wrote:

Good Morning--

I wanted to send a friendly reminder that the comment period for the draft regulations ends on March 18, 2016. If you did not receive a copy of the regulations in the mail, they are available online here:
https://www.eriecountypa.gov/media/389564/2016-body-art-ordinance_final-draft.pdf

Please provide comments in a written format by either email to: badams@eriecountypa.gov or mail to: Erie County Department of Health Attn: Breanna Adams 606 West 2nd Street, Erie PA 16507. All comments will be taken into consideration before a final version is presented through an ordinance to County Council.

Thank you,

Breanna

I agree with most of the new regulations that are being proposed, in fact in some areas I don't think you went far enough. First Aid and CPR certification for artists should be a no brainer.

However...

I strongly disagree with the continued use of ear piercing systems (gun). If you look at the manual they provide with their "gun" they are suggesting piercing a lot more than the outer ear. There is a slew of evidence that points out the hazards of using this outdated method (left over from tagging cattle). Also, why we are on the subject, are the people working in these establishments required to maintain the same BBP training we are? Are they required to obtain a license from the Health Board, as we are? If not, why not. I know full well, why the County would choose not to address this problem, as I'm sure corporate lawyers (think Claires, Wallmart, Piercing Pagoda) would become involved. However, the fact remains, this is an outdated, often times unsafe practice, executed by individuals with little or no training. If the County is looking for things to regulate, let's start there, be a trend setter and say No more to piercing guns. I'm sure it would get picked up by the National media and Erie can be a trend setter. A very good argument to abolish them can be found at <http://www.goodhousekeeping.com/beauty/anti-aging/a35208/piercing-guns-bad-dangers/>

Also, though I will concur that it is very hard to do, how about going after the individuals tattooing/piercing out of their homes. Especially when they are reported, follow up, maybe network with some city departments, because if they are running out of their house they are also breaking zoning laws and operating a business from their home. If nothing else, perhaps some Public Service Announcements about the dangers of home operators.

My biggest issue is with the County trying to prohibit subdermal implants, suspension, scarification, and tongue splitting. First, suspension is not a form of body modification; the piercings are temporary and are performed just prior to the actual suspension. Information can be found here https://en.wikipedia.org/wiki/Suspension_%28body_modification%29 Also, the act of suspension for some individuals has a spiritual/religious aspect. <http://www.theatlantic.com/health/archive/2012/09/the-therapeutic-experience-of-being-suspended-by-your-skin/262644/> That alone should be enough for the County not to get involved.

My issue with the County trying to regulate any of these is the same. First I don't see how any of these can be a danger to the Public Health. Individual risk, sure; but there is risk in everything! I don't see anywhere in the Health Boards mission statement where they are to manage individual risk.

The mission of the Department of Health is-

"To preserve, promote and protect the health, safety and well-being of the people and the environment of Erie County.

By:

- Acting as the guardian and as an advocate in all matters relating to the public's health;
- Promoting healthy lifestyles;
- Reducing preventable illness and controlling the spread of communicable diseases;

- • Identifying and eliminating health and safety hazards;
- • Protecting and promoting the quality of the environment.”

If these procedures are a risk to public health, please elaborate on how. In its attempt to protect citizens from the dangers of these procedures, the County has overstepped the rights of individuals who choose to modify their bodies as a form of personal expression. An outright ban on these practices would push them underground, leaving that public with no safe way to pursue this art. I oppose the prohibition as a restriction on personal liberty. I don't think it's the proper role of government to tell people what they can and cannot do with their own bodies. What an individual chooses to do in terms of those types of modifications to one's body, should be left to them.

Overall, I would support the County's effort and applaud them on undertaking this, which I think is long overdue. But would reiterate that the prohibitions being considered shouldn't; and some public service announcements about the dangers of home tattooing would be appropriate and would help to foster good will with the studios.

From:
Sent: Thursday, March 17, 2016 6:10 PM
To: Adams, Breanna
Subject: Recommendations for Updated Body Art Establishment Regulations

Breanna,

After the staff and I at _____ reviewed the recommended updates for the Body Art Establishment Regulations we found them to be agreeable accept for the following:

5. Tattoo/ Body Piercing Artist

(a) General Requirements

8. After completing tattoo work on any person, the area shall be washed with a sterile gauze saturated with an approved antiseptic solution. The area shall be allowed to air dry and an antibacterial cream or lotion from a single-use dispenser is to applied using sterile gauze. A dressing shall then be affixed over the area

There are three points in this section that need to be addressed.

1. The use of sterile gauze is unnecessary during the tattoo process. My wife, who is a registered nurse with experience in the hospital, has a lengthy experience with both sterile and clean procedures. In her opinion, the process of tattooing is completely a clean procedure. Once the sterile gauze would be opened and placed in a clean gloved hand it would no longer be deemed sterile, so requiring us to buy sterilized gauze seems unnecessary as to keep it sterile we would also need sterile gloves. My suggestion is to simply change the wording in this section to a clean piece of gauze or paper towel instead of a sterile piece. In reality what most shops currently use is a stack of clean paper towels during the tattooing process as they are absorbent and much more efficient than gauze.

2. The use of antibacterial cream after the tattoo is actually damaging to said tattoo. Most artists use an A&D ointment to coat the area after the tattoo has been applied. I would suggest either wording that section as A&D ointment or simply ointment.

3. The use of a single dispensed package for the A&D ointment used during and after the tattoo is unnecessary and wasteful. Like our inks, the ointment we use is dispensed from a multi-use container before the tattooing process begins. There is no risk of cross contamination and once the tattoo has been completed the unused ointment left is disposed of. I would suggested rewording the sentence addressing single use dispenser to refer to a multi-use dispenser where the ointment is dispensed before the tattoo process begins.

As I mentioned before all other changes are adequate and agreeable. If you have any further questions feel free to contact me or my wife _____ has also mentioned if you would like her to come in and speak to the board about these changes she would be more than happy to.

Thank you,

Adams, Breanna

From:
Sent: Friday, March 18, 2016 3:47 PM
To: Adams, Breanna
Subject: proposed regulations for body art

Hi Breanna,

There were a few things I'd like to comment on. Also, please be sure to address the Branding restriction for me at the next board meeting. I did my presentation in 2008 and got branding approved. I appreciate it:)

Page 3, section C, 1st paragraph: Obtaining a temporary license for a "fair or festival".

I don't feel this is a safe atmosphere to perform body art. People with open wounds walking through crowds of people at a festival does not sound safe for either party. Even if the wound is covered with a dressing, tattoos still tend to leak blood/body fluids out from under the dressing. And most people don't keep their body art covered, especially in public, because they might want to show it off.

1) Will the artist be required to be in an enclosed area while tattooing or piercing (away from insects and crowds of people possibly contaminating their work area)?

2) Will the artist be obligated to have a handwashing sink in their work area with warm running water?

Page 3, section 5, paragraph 9, 1st sentence:

"Thoroughly cleaning the area with soap and water"; In my years of piercing, I haven't ever been instructed or suggested to do this. We prep the area to be pierced with povidone-iodine or if the person has an allergy we use an alcohol pad. If there is make-up on the area, we use an alcohol pad first then prep with povidone-iodine. Is this referring to the client being clean and showered on their own with soap and water before they come in to get pierced? We have a sign posted that we reserve the right to refuse anyone service at any time. So if someone does come in and it's obvious they are not clean, we will tell the client to go home and shower first.

Page 7, section e, 1st paragraph:

FYI regarding jewelry; Before jewelry is sterilized it should first be run through an ultrasonic cleaner. This will remove any machining particles and polishing compounds from the jewelry.

I was really happy to see your addition to the jewelry standards:) We offer Rose Gold as well as the other golds you have listed. Can you add that please?

Page 7, section b, paragraph h:

According to OSHA regulations, "Although either event- or time-related practices for storage of sterile packages may be used, it is important to understand that the package contents should remain sterile indefinitely unless some outside event, such as tearing or moisture causes the pouch to become compromised. At that time it is important to repackage and resterilize the package contents to ensure sterility of the instruments".

I'd like to see the expiration date of our sterilized equipment be extended to at least 1 year, if not longer.

Page 8, section 9, paragraph c:

Again, please bring up the branding prohibition and the fact that I did my presentation to get it passed in 2008.

I was sad to see piercing guns were exempt from these regulations. Hopefully one day.

Did you guys ever consider requiring first aid and CPR training?

Thanks Breanna! Let me know if theres anything I can do to help out.

--

5. Tattoo /Body Piercing Artist

(a) General Requirements

1. No person with boils, infected wounds, open sores, acute respiratory infection or other communicable disease or condition, nausea, vomiting, or diarrhea shall work in any area of a body art establishment where there is likelihood of contaminating equipment, supplies or work surfaces.
2. Artists shall not eat, drink, or use any form of tobacco in any area where contamination of equipment and supplies could occur.
- ~~3.~~ Artists shall not perform any body art if they are impaired by drugs or alcohol.
- ④ Body art procedures shall be performed only on a healthy skin surface. No body art shall be performed on skin surfaces which have any rash, ~~pimples~~ boils, infections or any other evidence of an unhealthy condition.
** PIMPLES ARE AN UNHEALTHY SKIN CONDITION ?*
5. Prior to starting each procedure or handling equipment, artists must thoroughly wash their hands, forearms and nails using soap and warm running water. Hands must be dried with a disposable paper towel.
6. Disposable gloves shall be worn for any procedure involving contact with a customer's skin, hair, or other body tissue. When sessions are interrupted or immediately after gloves are torn, gloves shall be removed and discarded and hands shall be washed and a fresh pair of gloves used.
- ⑦ If the skin is to be shaved, it must first be washed with soap and ~~warm water~~. Single-use disposable safety razors for each patron shall be used for preparation of the area to be tattooed. After shaving, the area shall be prepared by washing with soap and ~~warm water~~ or by wiping with an alcohol solution.
** WHY WARM WATER?*
- ⑧ After completing tattoo work on any person, the area shall be washed with a sterile gauze saturated with an approved antiseptic solution. The area shall be allowed to air dry and an antibacterial cream or lotion from a single-use dispenser is to be applied using sterile gauze. A dressing shall then be affixed over the area.
** ADD FOOD GRADE PLASTIC WRAP*

PG 9

10. Exemptions

- ① (a) Individuals who pierce only the outer perimeter and lobe of the ear using a pre-sterilized, single-use stud and clasp ear piercing system (gun) are exempt from the requirements of these regulations.
** I DON'T AGREE WITH THIS EXEMPTION. WHY IS THIS EXEMPT?*
- (b) Medical practitioners licensed by the Commonwealth of Pennsylvania who utilize tattooing or body piercing procedures as part of patient treatment are exempt from these regulations.

11. Waste Disposal

- (a) Municipal waste shall be kept stored in tightly covered waste containers. All waste containers shall be cleanable and kept clean. All waste materials are to be removed

RESOLUTION NUMBER , 2016

**Recording a \$3,000,000 Loss on the
Erie County General Authority Loan in the 2015 Budget**

WHEREAS, the County of Erie approved an unsecured loan of \$3,000,000 to the Erie County General Authority (ECGA) for a proposed economic development project, on April 12, 2006; and

WHEREAS, the project was managed by the Greater Erie Industrial Development Corporation (GEIDC), who repurposed the funds with County approval for an inland port project as part of Resolution 17, 2010; and

WHEREAS, GEIDC filed for liquidation bankruptcy in April of this year because it was unable to pay creditors, including the County of Erie; and

WHEREAS, the collectability of this loan is in doubt, the County is being required by government accounting rules to report this loan as uncollectible.

NOW THEREFORE BE IT RESOLVED, by the County Council of the County of Erie that the Administration is hereby permitted to create a \$3,000,000 Account Loss on the ECGA loan in the 2015 budget; to be recorded in December of 2015, in Account Number 001-002710-005263.

BE IT FURTHER RESOLVED that the County Administration continues to pursue all attempts for repayment through the bankruptcy procedures; any funds repaid will be treated as revenue in the year received.

On the motion of _____, seconded by _____, this resolution was

passed on this _____ day of _____, 2016 by a vote of ____ to ____.

APPROVED BY:

André R. Horton, Chairman
Erie County Council

Kathy Dahlkemper,
County Executive

Date:_____

ATTEST:

Douglas R. Smith
County Clerk

Date:_____



COUNTY OF ERIE, PA

André R. Horton, Chairman
Jay Breneman, Vice Chairman

Members of Erie County Council

Erie County Courthouse
140 West Sixth Street, Room 114
Erie, Pennsylvania 16501-1081

Edward T. DiMattio, Jr.
Kathy Fatica
Dr. Kyle Foust
Fiore Leone
Carol Loll

MEMORANDUM

TO: County Council Members

FROM: Jay Breneman, County Council

DATE: May 3, 2016

RE: Human Relations Advisory Board

I hereby convey notice of my appointment of Matthew P. Hatfield to the Human Relations Advisory Board.

He will be filling the unexpired term of Kristy Gnibus, who resigned. The term will end September 30, 2018.

His resumé is attached for your perusal. I am, therefore, requesting your support for his appointment to that Board.

Thank you for your consideration of this matter.

MATTHEW P. HATFIELD

442 East 38th St. · Erie PA, 16504 ·

EDUCATION:

Mercyhurst University, Erie, Pennsylvania

Graduation: May, 2016

B.A. in Political Science with a concentration in Applied Politics, B.A. in Psychology, B.A. in Religious Studies

GPA: 4.0

PROFESSIONAL EXPERIENCE:

Kevin Dougherty for Pennsylvania Supreme Court/Bob Merski for Erie City Council

Field Organizer

May, 2015-November, 2015

- Coordinated GOTV efforts between the Dougherty campaign and the Merski campaign in order to effectively target voters
- Organized volunteers for phone-banking/door-to-door voter contact for both campaigns
- Maintained communication with the state-wide Dougherty campaign as a liaison for field efforts in Erie County

Erie County Chamber and Growth Partnership/Emerge 2040

Community Development Assistant

June, 2015-August, 2015

- Created an online database of local, state, and national agencies that provide connections to technical assistance and funding for home repairs/energy efficiency improvements in order to alleviate blight in Erie County
- Conducted qualitative interviews of regional stakeholders in order to provide content for Emerge 2040's monthly newsletter and maintained social media activity for Emerge 2040

Pennsylvania State Senate

Legislative Intern

May, 2015-June, 2015

- Attended county authority meetings and senatorial advisory committee meetings on Children and Youth/Urban Affairs
- Utilized the State Assembly's Legislative Data Processing Center and other research tools to analyze volunteer firefighter incentive programs, the implementation of state-wide veterans courts, domestic violence legislation, fracking legislation, etc.
- Employed a Constituent Tracking System and Voter Information System to assist with constituent services

Mercyhurst Center for Applied Politics

Research Associate

August, 2012-May, 2015

- Utilized a phone banking system to compile data from registered voters regarding public policy issues
- Upon completion of public opinion surveys, the gathered information is released to political figures, newspapers, and non-profit organizations

Erie County Council

Legislative Intern

June, 2014-December 2014

- Analyzed various ways to lessen costs & chances of recidivism for the Erie County Prison to more properly appropriate county resources
- Communicated with officials about how to create a multi-faceted approach to lessening county prison costs

Tom Wolf for Governor/Committee to Re-elect State Rep. Ryan Bizzarro Northwest Campaign office

Field Intern

August 2014- November, 2014

- Employed VoteBuilder program to collect/analyze demographic information and voting behavior
- Organized grassroots canvassing and voter outreach via phone-banking and door-to-door communication with constituents

National Alliance on Mental Illness (NAMI) of Erie County

Marketing and Development Intern

July, 2014-November, 2014

- Promoted the country's largest grassroots mental health advocacy organization to the local community
- Analyzed various mental health topics for grant-writing purposes
- Coordinated the preparation of the Family-to-Family and Peer-to-Peer mental health educational programs
- Aided the organization in event planning and logistics for Mental Illness Awareness Week (MIAW), and an event celebrating the 30th anniversary of NAMI of Erie County

MATTHEW P. HATFIELD

442 East 38th St. · Erie PA, 16504 ·

PROFESSIONAL CONFERENCES:

Western Pennsylvania Undergraduate Psychology Conference-Mercyhurst University & Illumination Student Showcase-Mercyhurst University

Presentation of Junior thesis entitled 'Emotional Responses to Political Propaganda' March & April, 2015

- After creating a questionnaire that measured emotional reactions to visual cues, political ideology, need for cognition, emotional contagion, and affectivity, 25 participants responded to the questionnaire to rate their emotional responses to pro-gun control and anti-gun control internet memes
- Utilized SPSS statistical software to run a regression and concluded that the relationship between visual content deemed to be offensive and humor ratings was statistically significant

INTERNATIONAL EXPERIENCE:

Faculty led Study Abroad Trip (FSAT) to Italy and Greece

January, 2016

- Engaged in cultural appreciation by traveling to Rome, the Vatican, Pompeii, Athens, Delphi, Santorini, and other locations in Southern Europe
- Participated in hands-on coursework in international social ethics where we analyzed the foundations of Western philosophical and religious thought

LEADERSHIP EXPERIENCE/COMMUNITY INVOLVEMENT:

Mercyhurst Student Government (MSG)

Senator of the School of Social Sciences, Operations Committee person & Election Commissioner

May, 2015-present

- Prepared the annual budget to be approved by membership of MSG, reviewed and updated constitution and bylaws of MSG, and addressed/made recommendations for Recognized Student Clubs/Organizations and addressed other internal affairs relating to the weekly operations of student government
- Ensured that MSG Presidential and Vice Presidential candidates adhered to the election code and moderated the presidential and vice presidential debates as election commissioner for MSG

Mercyhurst Campus Involvement Center

Laker Leader Chairperson

June, 2013-September, 2013

- Collaborated with 30 volunteers/Campus Involvement Staff to implement freshman orientation activities
- Communicated with incoming freshman and their families regarding college-related concerns/issues

National Forensics League/National Catholic Forensics League/Pennsylvania High School Speech League

Volunteer Speech & Debate Judge/Chaperone

September, 2012-present

- Critiqued and provided constructive feedback to high school students regarding various debate and dramatic events at regional and national tournaments
- Ensured safety of students at regional and national tournaments

HONORS, AWARDS, & EXTRACURRICULAR ACTIVITIES:

- Mercyhurst Student Government Senator of the Month 2016
- Pennsylvania College Democrats (Deputy Director of Political Affairs) 2016
- Pennsylvania College Democrats (Vice-Chairman of Environmental Caucus) 2015
- Mercyhurst College Democrats (President) 2015-present
- Pi Sigma Alpha-National Political Science Honors Society (President) 2015-present
- Theta Alpha Kappa-National Religious Studies/Theology Honors Society (member) 2015-present
- Mercyhurst Honors Program 2013-present
- Psi Chi -International Psychology Honors Society (Secretary) 2014-2015
- Psychology Club (Vice-President) 2014-2015
- Academic Tutor 2012-2016
- Dean's List recipient 2012-2016
- Mercyhurst Academic Excellence Award 2012-2016
- Mother Borgia Egan Academic Scholarship 2012-2016
- D.E.C.A. National Qualifier in Marketing Management 2012
- N.F.L./N.C.F.L. National Qualifier in Congressional & Public Forum Debate 2011-2012



COUNTY OF ERIE

OFFICE OF COUNTY EXECUTIVE

Kathy Dahlkemper
COUNTY EXECUTIVE

MEMORANDUM

TO: Members of County Council

FROM: Kathy Dahlkemper, 
County Executive

DATE: May 2, 2016

RE: Erie County Planning Commission

As County Executive, I hereby convey notice of the appointment of Ms. Becky Hosack, 10140 Ridge Road, Girard, PA 16417, to the Erie County Planning Commission. This constitutes a four-year term expiring on December 31, 2019.

Thank you.

cmc

cc: Douglas Smith, Clerk
Kathy Wyrosdick, Director of Planning
File

Becky Hosack | 10140 Ridge Road | Girard, PA 16417 | 814-774-4738

Related Experience

- Zoning Administrator at Girard Township
- Secretary at Girard Township
- Realtor with Pennington Lines Real Estate

Summary

Secretary/Zoning Administrator | Girard Township

July 1998 – Present (17 years 10 months) Girard Township, Girard PA

January 2014 I was given a promotion of adding Secretary to my work load along with Zoning. I work with the residents of Girard Township in providing zoning permits and help them with their major and minor subdivision plans. I am in charge of enforcing the Zoning Ordinance and work with the Supervisors with the Nuisance Ordinance. I provide assistance for Girard Twp. residents along the Coastal boundaries of Lake Erie in complying with the Coastal Zone regulations. I work closely with the Supervisors and the Planning Commission. I maintain the Girard Township website, oversee our MS4 reporting, storm water management, floodplains and have started to update mapping through GIS.

Realtor | Pennington Lines Real Estate

January 1996 – Present (20 years 4 months) Girard, Pennsylvania

Professional Affiliations

Pennsylvania Association of Realtors, Member – January 1996 to Present




COUNTY OF ERIE

OFFICE OF COUNTY EXECUTIVE

Kathy Dahlkemper
COUNTY EXECUTIVE

MEMORANDUM

TO: Members of County Council

FROM: Kathy Dahlkemper, 
County Executive

DATE: May 2, 2016

RE: Erie County Agricultural Land Preservation Board

As County Executive, I hereby convey notice of the appointment of Mrs. Michelle Griffith-Aresco, 2955 West 17th Street, Erie, PA 16505, to the Erie County Agricultural Land Preservation Board. This constitutes a three-year expiring on December 31, 2018.

Thank you.

cmc

cc: Douglas Smith, Clerk
Kathy Wyrosdick, Director of Planning
File

Michelle Griffith-Aresco

MGriffithAresco@rickgriffith.com

2955 West 17th Street

Erie, PA 16505

814-838-1234

Professional Summary

Vice President

Rick Griffith Properties – Committed to providing quality real estate for commercial, industrial, and residential uses in Erie County

March 2002 – Present (14 years 3 months)

Marketing Associate

Bridgewater Associates – Investment management

July 2000 – February 2002 (1 year 8 months)

Education

Skidmore College, 1996-2000

Volunteer

City of Erie – Comprehensive Plan Review Committee

Erie Ambassador – Erie Regional Chamber and Growth Partnership

Erie Heart Ball Committee




COUNTY OF ERIE

OFFICE OF COUNTY EXECUTIVE

Kathy Dahlkemper
COUNTY EXECUTIVE

MEMORANDUM

TO: Members of County Council

FROM: Kathy Dahlkemper, 
County Executive

DATE: May 5, 2016

RE: Erie County Housing Authority

As County Executive, I hereby convey notice of the reappointment of Ms. Doris Gernovich, 26 East Congress Street, Corry, PA 16407, to the Erie County Housing Authority. This constitutes the first full term for Ms. Gernovich. It is scheduled to expire on March 31, 2021.

Thank you.

cc: Douglas Smith, Clerk
Michael McNierney, ECHD Director
File

| |
|---|
| County of Erie Analysis of General Fund Unassigned Fund Balance FYE 12/31/16 As of May 6, 2016 |
|---|

| | |
|---|------------|
| Projected Ending 2016 Unassigned Fund Balance | 31,878,943 |
|---|------------|

Less: Appropriations from Unassigned Fund Balance

| | |
|--|-------------|
| Ordinance #5 For Information Technology Due to Budget Impasse | (99,888) |
| Ordinance # 3 2015 Budgeted Funds no Transferred TO Debt Service Due to State Budget Impasse | (315,738) |
| Ordinance # 10 For Planning Fund Change in Funding | (9,681) |
| Ordinance #13 For Veterans Affairs Due To Budget Impasse | (2,300) |
| Ordinance #14 For Domestic Relations Change in Funding | (738) |
| Ordinance #18 For Creation of PT Communications and Public Relations Administrator | (16,453) |
| Ordinance # For Creation of Fees Line Item for County Wellness Activities | (1,125) |
| Ordinance # For P-Corp Grant for Safety Improvements at the Erie County Prison and Library | (1,200) |
| Ordinance # Automation Fees from Prothonatary Office | (46,296) |
| Ordinance # Adult Probation PCCD Grant Trauma Related Services Diverting Veterans | (35,533) |
| Ordinance # Intergovernmental Transfer to Benefit Pleasant Ridge Manor | (4,390,879) |

| | |
|---|--------------------|
| Total Appropriations from Unassigned Fund Balance | <u>(4,919,831)</u> |
|---|--------------------|

Plus: Appropriations to Unassigned Fund Balance

| | |
|---|--------|
| Ordinance # 7 Change in Grade for MDJ Secretaries | 13,322 |
| Ordinance # Hiring of Court Reporter at Higher Rate | 33,988 |

| | |
|---|---------------|
| Total Appropriations to Unassigned Fund Balance | <u>47,310</u> |
|---|---------------|

| | |
|--|--------------------------|
| Estimated General Fund Unassigned Fund Balance to date | <u><u>27,006,422</u></u> |
|--|--------------------------|

Summary

| | |
|--|-------------------|
| Total Budgeted General Fund Expenditures and Transfers | 96,540,807 |
| Less: Pass Thru Grants Originally Budgeted in the General Fund | (106,000) |
| Net Budgeted General Fund Expenditures and Transfers | <u>96,434,807</u> |

| | |
|--|------------|
| One Month's Expenditures and Transfers | 8,036,234 |
| Two Month's Expenditures and Transfers | 16,072,468 |

| | |
|---|-------------------|
| Difference between Estimated GF Unassigned Fund Balance and One Month of Expend & Transfers | <u>18,970,188</u> |
|---|-------------------|

| | |
|--|-------------------|
| Difference between Estimated GF Unassigned Fund Balance and Two Months of Expend & Transfers | <u>10,933,954</u> |
|--|-------------------|

County of Erie General Fund
Monthly Reconciliation of
Changes to Fund Balance Appropriated
001-000990-099500
As of May 6, 2016

| | |
|--|--------------------|
| Appropriations from Fund Balance per Excel | (4,919,831) |
| Appropriations to Fund Balance per Excel | 47,310 |
| Net Appropriations per Excel | <u>(4,872,521)</u> |

Less: Pending Ordinances for Council Approval

| | |
|---|-----------|
| Ordinance #13 For Veterans Affairs Due To Budget Impasse | 2,300 |
| Ordinance # Adult Probation PCCD Grant Trauma Related Services Diverting Veterans | 35,533 |
| Ordinance # Intergovernmental Transfer to Benefit Pleasant Ridge Manor | 4,390,879 |

| | |
|------------------------------|------------------|
| Total Net Pending Ordinances | <u>4,428,712</u> |
|------------------------------|------------------|

| | |
|---|------------------|
| Net change to Fund Balance Appropriated | <u>(443,809)</u> |
|---|------------------|

| | |
|----------------------|------------------|
| FMS Budget T Balance | <u>(443,809)</u> |
|----------------------|------------------|

0

County of Erie General Fund
Current Budget
As of May 6, 2016

| DEPT NO | DEPT NAME | ORIGINAL 2016 BUDGET | 2016 BUDGET CHANGES | CURRENT 2016 BUDGET |
|------------|--------------------|-------------------------|------------------------|------------------------|
| 001000 | CONCIL & ELECTIONS | 1,372,149 | | 1,372,149 |
| 001100 | COUNTY CONTROLLER | 333,602 | | 333,602 |
| 001990 | COUNTY EXECUTIVE | 251,397 | 16,453 | 267,850 |
| 002010 | COMM REL ECON DEV | 494,138 | 140,751 | 634,889 |
| 002100 | COUNTY SOLICITOR | 167,725 | | 167,725 |
| 002190 | HUMAN RESOURCES | 315,142 | 1,125 | 316,267 |
| 002300 | FINANCE | 4,140,283 | | 4,140,283 |
| 002400 | ADMIN/ OPERATIONS | 5,276,628 | 1,200 | 5,277,828 |
| 002601 | HUMAN SRVC SHARED | 77,694 | | 77,694 |
| 002700 | OTH GEN GOVT | 9,205,520 | | 9,205,520 |
| 002810 | IT | 2,156,345 | 99,888 | 2,256,233 |
| 003000 | COURTS | 5,217,342 | (33,988) | 5,183,354 |
| 003100 | MDJ'S | 2,736,637 | (13,322) | 2,723,315 |
| 003200 | CLK RECORD | 2,723,864 | 46,296 | 2,770,160 |
| 003290 | SHERIFF | 3,159,019 | | 3,159,019 |
| 003390 | DISTRICT ATTY | 3,003,037 | | 3,003,037 |
| 003500 | CORONER | 684,021 | | 684,021 |
| 003600 | PUBLIC DEFENDER | 1,454,958 | | 1,454,958 |
| 004000 | ADULT PROBATION | 5,403,206 | | 5,403,206 |
| 004100 | CORRECTIONS | 17,442,465 | | 17,442,465 |
| 004190 | JUVENILE PROBATION | 3,246,963 | | 3,246,963 |
| 005200 | VETERANS AFFAIR | 298,114 | | 298,114 |
| 009000 | GRANTS TO ORGANS | 106,000 | | 106,000 |
| 020000 | TRANSFERS | 27,274,557 | 185,406 | 27,459,963 |
| | Total | 96,540,806 | 443,809 | 96,984,615 |

| |
|---|
| <p>County of Erie</p> <p>Comparison of Change in Monthly General Fund</p> <p>Fund Balance Appropriated for the Years</p> <p>2016 and 2015</p> |
|---|

Change in appropriated General Fund fund balance as follows:

| Month | 2016 | 2015 |
|--|-----------|-----------|
| January | (402,304) | (4,797) |
| February | (9,681) | 18,406 |
| March | (17,191) | 16,376 |
| April | (15,808) | (38,277) |
| May | | (16,188) |
| June | | (69,290) |
| July | | (11,654) |
| August | | 0 |
| September | | 0 |
| October | | (245,137) |
| November | | (150,627) |
| December | | (461,631) |
| Total Change in Appropriated Fund Balance Year to Date | (444,984) | (962,819) |